IMT Nuremberg Archives

H – 1171

International Court of Justice

H1171-0002

LIST OF DOCUMENTS

DEFENDANT VON NEURATH

Court No.	No.	Doc. Book	Transcript Pages	Description	Date
US 19	2792-PS	-	255	List of appointments held by von Neurath	
	1724-PS			Extracts from Huber Verfassungs Recht des Gross Deutschen Reiches 1939 p.225	
	2031-PS			Decree establishing Secret Cabinet Council	
US 24	2261-PS	L	334	Die Fuhrungsordung das deutschen Volkes by Braune	
	2986-PS			Affidavit of Defendant Frick.	
	EC 177			Composition of Reich Defence Council (p.3)	
	EC 407			Minutes of Reich Defence Council	14 May 1936
US 36	2194-PS	M	410	Reich Defence Law	4 Sept. 1938
1708	1708-PS			Nationalsozilistisches Jahrbuch 1944 page 158	
	2771-PS			Report of Hitler's speech	15 Mar. 1939
	2541-PS			Das Grossdeutsche Frieheitskampf, pp. 392-393	
US 23	789-PS	L	275	Hitler's speech to Commanders	23 Nov. 1939
US 51	C 140	M	402 450	Memo - Blomberg to Chief of Army High Command etc.	25 Oct. 1943
US 43	C 153	M	440	Armament Plan	12 May 1934
GB 11	TC 44	1	452/3	Announcement of re-establishment of German Air Force	9 Mar. 1935
US 38	2288-PS	M	417	Hitler's speech	22 May 1935
US 24	2261-PS	L.C.K.	334	Letter: Blomberg enclosing Law	24 June 1935
US 35	2353-PS	M & K	408	General Thomas's history p.35	
US 56	2289-PS	M	462	Announcement by Hitler - Occupation of Rhineland	March 1936

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Court No.	No.	Doc. Book	Transcript pages	Description	Date
US 53	C 139	M	460	Operation Schulung	2 May 1935
	D 449			Extract Das Archiv, p. 650	
	D 471			Extract from Das Archiv October 1937, p. 921	
US 65	L 150	N	520	Memo of conversation Bullitt-Neurath	18 May 1936
GB 19	TC 26	1	544/5	Assurance to Austria	21 May 1936
GB 20	TC 22	1	544/5	Fraudulent Treaty	11 July 1936
US 64	2247-PS	N	516	Letter v Papen to Fuhrer	17 May 1935
US 67	2246-PS	N	513	Extract letter v. Papen to Hitler	1 Sept. 1936
US 25	386-PS	L	336	Notes on conference in the Reichskanzlei	5 Nov. 1937
US 127	3045-PS	N(Supp)	557 584	Letter Henderson to Halifax	11 Mar. 1938
US 128	3287-PS	N(Supp)	"	Letter v. Neurath to Henderson	12 Mar. 1938
US 61	812-PS	N	"	Letter Rainer to Seyss-Inquart	22 Aug. 1939
US 76	2949-PS	N	"	Transcripts of Goering's telephone conversations concerning Austria	
US 68	2385-PS		536	Affidavit of George S. Messersmith	30 Aug. 1945
US 72	1780-PS	N	587	Jodl's diary - entries	11.13.14. Feb. 1937
" "	"	"	560	ditto	10 Mar. 1937
GB 21	TC 27	1	962	Assurance to Czechoslovakia	11 Mar. 1938
GB7	TC 50	1	945	Hitler's proclamation	15 Mar. 1939
GB 8	TC 51	1	947	Decree establishing Protectorate - Bohemia Moravia	16 Mar. 1939
	1439-PS			Treaty of Protection German Reich & Slovakia	23 Mar. 1939
	2852 PS			Decree authorising Protector & Reich Leader SS & Chief German Police Special measures	1 Oct. 1939

(3438)

1. The Deputy Commander for the Fuehrer (Reich-Minister Hess)

2. The Supreme Command of the Armed Forces (Generaloberst (Gen.) Keitel)

3. General Field-Marshal Goering (Deputy for the 4 Year Plan)

4. Foreign Office (v. Ribbentrop)

5. Reich-Minister of the Interior (Dr. Frick)

6. Reich-Minister for Enlightenment of the People and Propaganda (Dr. Goebbels)

7. Reich Air-Minister (Gen. Field-Marshal Goering)

8. Reich Finance Minister (v. Schwerin-Krosigk)

9. Reich-Minister of Justice (Dr. Guertner)

10. Reich-Minister of Economy (Funk)

11. Reich-Minister for Food and Agriculture (Darre)

12. Reich-Minister of Labor (Seldte)

13. Reich-Minister for Science, Education and National Culture (Dr. Rust)

14. Reich-Minister for Ecclesiastical Affairs (Kerrl)

15. Reich-Minister of Transportation (Dr. Dorpmueller)

16. Reich Postal Minister (Ohnesorge)

17. Reich-Minister Frank (Legal Affairs Reich-Fuehrer)

18. Reich-Minister Schacht

19. Reich-Minister Seyss-Inquart

20. Reich Forest-Office (Gen. Field-Marshal Goering)

The Commanders-in-Chief of the Army (Generaloberst (Gen.) v. Brauchitsch)) and of the Navy (Great-Admiral Raeder) have also the rank of Ministers Furthermore, the following participate regularly in the sessions of the Government, whenever matters of their department are being discussed:

1. The Prussian Finance Minister, Dr. Popitz.

2. The Reich-Fuehrer SS and the Chief of the German Police, Himmler.

3. The Reich Labor Leader in the Reich-Ministry of the Interior, Hierl.

4. The Chief of the Organization in Foreign Countries in the Foreign Office, Bohle. In addition, the following Supreme Reich-Bureaus are immediately sub-ordinate to the Fuehrer:

1. Court of Accounts of the German Reich (State-Minister, retired, Mueller.

2. Inspector General for the German Road System (Dr. Todt).

3. Reich Office for Area Control("Raumordnung") (Kerrl).

4. Youth-Fuehrer of the German Reich (v. Schirach).

Furthermore, the following are immediately subordinate to the Fuehrer:

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1. The German Reich-Bank, (President Reich-Minister Funk).

2. Inspector General of Constructions for the Reich Capital (Professor Speer).

3. Counsellor General of Constructions for the Capital of the (party) movement (Professor Giesler).

4. Reich Construction Counsellor for the town of Linz on the Danube.

The directors of these Reich Bureaus act as direct advisers and collaborators of the Fuehrer in their departments without being members of the Reich-Government by authority of their office.

A privy cabinet council, to advise the Fuehrer in the basic problems of foreign policy, has been created by the decree of 4 February 1938 (RGBl I 112). This privy cabinet council is under the direction of Reich-Minister v. Neurath, and includes the Foreign Minister, the Air Minister, the Deputy Commander for the Fuehrer, the Propaganda Minister, the Chief of the Reich-Chancellory, the Commanders-in-Chief of the Army and Navy and the Chief of the Supreme Command of the Armed Forces. The privy cabinet council constitutes a select staff of collaborators of the Fuehrer which consists exclusively of members of the Government of the Reich; thus, it represents a select committee of the Reich Government for the deliberation on foreign affairs.

The Law on the Supreme Leader of the State makes provision for the nomination of a Deputy Commander for the Fuehrer and also of a Vice-Chancello. Up to July 1934, von Papen, then Reich Minister, was Vice-Chancellor. Since then, no such nomination has been promulgated. The Deputy for the 4 Year Plan has a sort of representation in all matters concerning the 4 Year Plan, "all competent instances of party and state" being combined in his person, and he has been given the power to "issue directives to all authorities, including the highest Reich-Authorities and all offices of the party, its sub-divisions and its affiliated associations". The deputy for the 4 Year Plan is therefore within the limits of his authority superior to the other Reich Ministers, particularly to the economic and military departments.* But he is not only superior to the offices of the State but also to those of the party. He is(with the exception of the Fuehrer) the only central authority which by virtue of an office (and not by virtue of a personal union of a party and State office) can issue binding directives to the offices of the party and the State. Considering the tremendous importance of the 4 Year Plan, this position of the deputy is an important means for securing unity between party and State.

This same object is furthermore pursued by the Office of the Deputy Commander for the Fuehrer. While the Deputy for the 4 Year Plan constitutes an authority of the State with the power to issue directives to the party, the Deputy Commander for the Fuehrer represents a party instance with authority to co-operate in State affairs to a large extent. The "Ministry Hess", with it's Liaison-Staff is charged to assert the influence of the party in the legislation and administration of the State. All projects of politically important laws have to be submitted to the Deputy Commander for the Fuehrer for his preliminary examination. He naturally has the power to propose laws from his side. His influence on the administration affects particularly the selection of personnel. All appointments to be made by the Fuehrer have to be examined first by the Deputy Commander for the Fuehrer. Besides these individual powers, it is the duty of the Deputy Commander for the Fuehrer to assert the will of the (party) movement in the organization of the State, to settle difficulties which develop, to investigate complaints, and thus to guarantee unity of party and State.

Unity of party and Reich-Cabinet (Reich Regierung) is furthermore secured by the numerous personal unions i.e. association of Central State Offices with corresponding party offices. Such personal unions exist in the cases of

* Not in concurrence with this: J. Heckel, Military Constitution and Law (Wehrverfassung und Wehrrecht) 1939, page 346, Note 3.

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the Food Minister and the Propaganda Minister, the Chief of the German Police and the Reich Labor Leader, the Chief of the Organisation in foreign countries, and the Reich Youth Fuehrer. Furthermore, the majority of the Reich-Ministries is occupied by leading old party members. Finally, all Reich Ministers have been accepted by the party on 30 January 1937 and have been decorated with golden party insignia.

b) The Reich-Cabinet (Reich Regierung) as the bearer of responsible collaboration.

The relationship between the Fuehrer and the Reich-Cabinet (Reich Regierung) differs from the Weimar colleague-like system as well as from Bismark's Chancellor System. The great political principles are determined by the Fuehrer; the will of the government is not expressed by vote, as under the colleague-like system; doubts and differences of opinion are also settled by the Fuehrer (in contrast to the provisions of Section 57 of the Weimar Constitution). The Reich-Ministers who act as advisers to the Fuehrer owe him loyalty and obedience in accordance with the oath they have to take by virtue of the law of 16 October 1934. The Fuehrer is therefore not "primus inter pares" (first among equal ones), as it was featured in the colleague-like system, b he is absolutely superior to the other Reich-Ministers. But, if therefore the principle of authority prevails within the Reich-Cabinet (Reich Regierung), it is not permitted in this case in the least to become a formal bureaucratic mechanism like the one that characterized the Chancellor System of Bismark. In the latter, the collaborators of the Reich-Chancellor, the State-Secretaries, were not independent and responsible chiefs of their departments, but they were the sub-ordinates of the Chancellor and administered in his name and by his orders the various Reich-Offices, at the top of which stood the Chancellor. Even the law of 17 March 1878 concerning deputies did not change that state of affairs to any extent. Such a bureaucratic system does not permit the collaborators to develop a sense of enjoying responsible action and power of resolution and prevents genuine deliberation, the prerequisite of which is independence of the advisor. This is characteristic of an administrative state, where everything depends on the authoritarian technical functioning of the State apparatu . In the Reich of the Fuehrer the decisive factors are that the collaborators are subordinate leaders, that they are therefore possessed themselves with the desire for creative leadership and responsibility.

The Fuehrer does not avail himself of the Reich-Ministers as subordinate executive organs. The Reich-Cabinet (Reich Regierung) is not a technical apparatus. It is therefore inadmissible to consider the Reich-Ministers as mere "Chiefs of Reich Offices" who preside over bureaucratic institutions, rather the Reich-Ministers in particular must become genuine sub-leaders if the entire Reich is to be imbued with the spirit of the Fuehrer system. In the Reic Cabinet (Reich Regierung), the Fuehrer procures for himself the independent and responsible collaborators who do not only technically direct the various office but who are also capable to act in a constructive and creative manner, within the scope of their assignments. The Reich-Ministers are therefore not only advisors but at the same time responsible creative assistants of the Fuehrer, who administer their offices independently under the direction of the Fuehrer. The prerequisite for the Fuehrer Principle which has been realized in the Reich-Cabinet (Reich Regierung), is independent co-operation based on confidence and responsibility, of the Fuehrer's closest followers. Thus, the Fuehrer Principle presents far higher requirements then the bureaucratic absolutism and it's not too different Chancellor System of Bismarck.

In view of this structure of the Reich-Cabinet (Reich Regierung), it is only natural that the counter-signature, prescribed in Section 50 of the Weimar Constitution for all decrees and regulations issued by the Reich-President, becomes unnecessary for the decisions of the Fuehrer*. They do not require the counter-signature of the Minister of the respective department. Compulsory counter-signature was an institution of the constitutional and parliamentary system. The Minister who counter-signed the orders of the Chief of

* See in that respect the painstaking treatise of W. Weber, Counter-Signature and Co-signature of documents of the Supreme Head of State (Kontrasignatur und Mitzeichnung bei Akten des Staatsoberhauptes. Jb.d. AKDR. 1937. S. 184 ff.

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State assumed thereby responsibility before parliament. The counter-signature was thus inseparably connected with the parliamentary responsibility of the Ministers; it lost it's political foundation with the revolutionary elimination of parliamenarism of any form. However, also in the New Reich during the period of Reich President Hindenburg's administration, counter-signature of presidential acts by the Reich-Chancellor was maintained. Of course, the counter-signing Reich-Chancellor or Reich-Minister did not assume any more the "responsibility before the Reichstag", as was the case within the limits of the Weimar parliamentary system. The counter-signature was used in this case rather as a suitable technical form for safe-guarding the unified direction of the State as long as a dual Chief of State existed. This technical reason for maintaining the counter-signature was rendered unnecessary with the assumption of the presidential powers by the Fuehrer. Today, it is not necessary any more according to constitutional law. The decrees of the Fuehrer have legal force, even if they are not counter-signed by a Reich-Minister. Such was particularly the order of execution of the 4 Year Plan of 18 October 1936 (RGBl I 887) which in fact contains a law issued by the Fuehrer alone without any counter-signature.

As a rule, the decrees of the Fuehrer, are on the other hand, even today co-signed by the Minister of the department concerned. Authorized to co-sign are the Reich-Ministers, within the limits of their departments. Furthermore the Chiefs of the Presidential-Chancellory and of the Reich-Chancellory for their departments (Decree of 22 November 1934, not published), and also the State-Secretaries of a Reich-Minister who is temporarily unavailable (Decree of 20 March 1935, RMinBl. 423). The decrees concerning the party are co-signed by the Deputy Commander of the Fuehrer, decrees concerning the range of problems of the 4 Year Plan by the Deputy of the 4 Year Plan and the military decrees by the Chief of the Supreme Command of the Armed Forces. The Chiefs of the Supreme Reich-Bureaus who are not Reich-Ministers are not authorized to co-sign.

Co-signature is being regularly maintained for two reasons. For once, the co-signature brings out the fact that the Minister of the department is more then a mere technical auxiliary tool of the Fuehrer, that he performs rather independent and objective work which requires of course the approval of the Fuehrer but which is nevertheless the Minister's own work and performance. Thus the co-signature gives prominence to the fact that the Minister is an independent collaborator and not only an executive instrument. Also, the co-signature is therefore documentary proof - and this is the second reason - for the responsibility of the Minister of the department, naturally not before the Parliament but before the Fuehrer himself. By co-signing the Minister accepts the responsibility before the Fuehrer that the decree is practical, has been carefully considered and thoroughly worked out. Such a responsibility of the Minister before the Chief of the State could not exist under the radical parliamentary Republic.* The independence of the Minister from the Chief of State and his responsibility before the Parliament would have been weakened in that way. Under the old constitutional system, on the other hand, (as well as under the presidential system formed after the constitutional system) this responsibility of the counter-signing Minister also before the Chief of State was in existence. This type of "Minister responsibility" is indispensable under the Fuehrer Constitution. In view of the number and the importance of affairs, it is self-evident that the Fuehrer needs the advice, the suggestions, and the proposals of his collaborators; political leadership is impossible without reliable collaborators. The Ministers are responsible to the Fuehrer by their oath for competent and reliable counsel and preparation of his decisions. This responsibility of the Ministers of the various departments finds its public expression by their counter-signature. This counter-signature is not necessary, nevertheless. The Fuehrer can do without it and issue all decrees and decisions which have full legal effect by his own accord.

* Not in concurrence: Marschall von Bieberstein, the responsibility of the Reich-Ministers (Die Verantwortlichkeit der Reichsminister) Hbdd STR. Vol. 1. Page 542.

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OFFICE OF U S CHIEF OF COUNSEL
TRANSLATION OF DOC. NO. 1774-PS (Cont'd)

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 1774-PS

23 October 1945

I, FRED NIEBERGALL, 2nd Lt., Inf., O-133 55 67, hereby certify that I am thoroughly conversant with the German and English languages; and that the above is a correct and true translation of Document No. 1774-PS.

FRED NIEBERGALL
2nd Lt., Inf.,
O-133 55 67.

TRANSLATION OF DOCUMENT NO. 2031-PS
OFFICE OF U.S. CHIEF OF COUNSEL

8

1938 REICHSGESETZBLATT, PART I, No. 10

distributed on 5 February 1938, Page 112

Decree relating to the Establishment of a Secret Cabinet Council of February 4, 1938

("Erlass über die Errichtung eines Geheimen Kabinettsrats")

As my advisary board in the direction of the foreign policy, I hereby install a secret cabinet council.

I appoint as President of the secret cabinet council the Reichminister Freiherr von Neurath.

I appoint as members of the secret cabinet council:

The Reich Minister of Foreign Affairs Joachim von Ribbentrop
The Prussian Minister - President, Reich Minister for Aeronautics and Supreme Commander of the "Luftwaffe" General Field Marshall Herman Göring.
The Deputy of the Führer, Reich-Minister Rudolf Hess
The Reich Minister for Popular Enlightenment and Propaganda, Dr. Joseph Goebbels.
The Reich Minister and Chief of the Reich Chancellory, Dr. Hans Heinrich Lammers
The Supreme Commander of the Army, Colonel General Walther von Brauchitsch,
The Supreme Commander of the Navy, General Admiral Dr. h.c. Erich Raeder,
The Chief of the High Command of the Wehrmacht, General of the Artillery Wilhelm Keitel.

The current affairs of the secret cabinet council will be conducted by the Reich Minister and Chief of the Reich Chancellory.

Berlin, February 4, 1938

The Führer and Reich Chancellor

ADOLF HITLER

The Reich Minister and Chief of the Reich Chancellory,

Dr. LAMMERS

20 November 1945

CERTIFICATE OF TRANSLATION
OF DOCUMENT NUMBER 2031PS

I, FELIX EDWARD SHARTON, 046312, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2031 PS.

FELIX EDWARD SHARTON
0-46312

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TRANSLATION OF DOCUMENT 2261-PS
OFFICE OF U.S. CHIEF OF COUNSEL

C O P Y !

The Reichs Minister of War
and Supreme Commander of the Armed Forces
No. 1820/35 Top Secret L. II a

Berlin, 24 June 1935

TOP SECRET

To
The Supreme Commander of the Army
The Supreme Commander of the Navy
The Supreme Commander of the Air Forces

In the appendix I transmit one copy each if the law for the defence of the Reich of the 21 May 1935 and of a decision of the Reichs Cabinet of 21 May 1935 concerning the Reich's defense council. The publication of the Reich's defense law is temperrarily suspended by order of the Fuehrer and Reichschancellor.

The Fuehrer and Reichschancellor has nominated the President of the directorate of the Reichsbank Dr. Schacht to be "plenipotentiary-general for war economy".

I request that the copies of the Reich's defense law needed within the units of the armed forces be ordered before 1 July 1935 at armed forces office (L) where it is to be established with the request that the law should only be distributed down to Corps Headquarters outside of the Reichministry of war.

I point out the necessity of strictest secrecy once more.

(Signed) von Blomberg.

No. 1820/35 L Top Secret II a

Berlin, 3 Sept 1935

To
Defense-Economic Group G-3
copy

transmitted

(signed) Jodl

H1171-0010

H1171-0011

TRANSLATION OF DOCUMENT 2261-PS
OFFICE OF U.S. CHIEF OF COUNSEL
(Cont.)

Copy

Reichs' Defense Law
of 21 May 1935

The Reichs Cabinet has enacted the following law that is hereby made public:

Part I State of Defense

ARTICLE 1.

The Fuehrer and Reichschancellor can declare a state of defense for the area of the Reich in case danger of war threatens.

ARTICLE 2.

(1) With the declaration of a state of defense the entire power of execution devolves upon the Fuehrer and Reichschancellor. The Reichsminister of war exercizes it by his orders.

(2) The Reichsminister is empowered in the carrying out of the power of execution to issue legal regulations which may deviate from existing laws. He can, in order to enforce his regulation, threaten punishments and set up special courts.

ARTICLE 3.

(1) The Reichsminister care to observe the instructions of the Reichsminister of war. They remain the highest Reich authorities within their realm of activity.

(2) The Reichsminister will in case of a state of defense effect the necessary measures and are empowered to issue legal regulations which may deviate from existing laws.

Part II Mobilization

ARTICLE 4.

(1) If conflict with an external enemy becomes unavoidable, the Fuehrer and Reichschancellor can order mobilization.

(2) The ordering of mobilization includes in itself the declaration of a state of defense according to Part I, in case the latter is not already proclaimed, without projudice to the directive of Article Six.

(3) With the ordering of mobilization a state of war in the definition of this law begins.

ARTICLE 5.

The Reichsminister will effect the necessary measures in case of mobilization and are empowered to issue legal regulations which may deviate from existing laws.

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ARTICLE 6.

(1) The Fuehrer and Reichschancellor will appoint a plenipotentiary-general for war economy to direct the entire war economy.

(2) It is the task of the plenipotentiary-general for war-economy to put all economic forces in the service of carrying on the war and to secure the life of the German people economically.

(3) Subordinate to him are:

The Reichsminister for economy
The Reichsminister for food and agriculture
The Reichs labor minister
The Reichs forest master and all Reichs' agencies immediately subordinate to the Fuehrer and Reichschancellor.

Furthermore the financing of the war effort, (in the province of the Reichs finance ministry and of the Reichsbank) will be carried on under his responsibility.

(4) The plenipotentiary-general for war economy is authorized, within his realm of responsibility, to issue legal regulations, which may deviate from the existing laws.

Part III Setting of penalties and Conclusions

ARTICLE 7

Whoever purposely or carelessly acts in violation of a decree issued by authority of this law will be, insofar as a severer punishment is not stipulated according to other directives, punished with jail and with fine or with one of these penalties.

ARTICLE 8.

The Fuehrer and Reichschancellor will issue the necessary legal and administrative directives for carrying out of this law.

Berlin, 21 May 1935

The Fuehrer and Reichschancellor
(signed) ADOLF HITLER
The Reichsminister of war
(signed) VON BLOMBERG
The Reichsminister of the Interior
(signed) FRICK

Note
on the law for the defense of the Reich
of 21 May 1935

The publication of the law for the defense of the Reich of 21 May 1935 will be suspended. The law became effective 21 May 1935.

The Fuehrer and Reichschancellor
(signed) ADOLF HITLER

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TRANSLATION OF DOCUMENT 2261-PS
(cont'd)

Copy.

Copy. Decision of the Reichscabinet of 21 May 1935
on the Council for the defense of the Reich.

Supplementing the decision of the Reichscabinet of 4 April 1933 and 13 Dec 34 on formation of a council for defense of the Reich, the Reichscabinet has made the following decision:

1.) The plenipotentiary-general for war economy appointed by the Fuehrer and Reichschancellor will begin his work already in peacetime. At the suggestion of the chairman of the Council for the defense of the Reich, he will direct the economic preparations for war, insofar as they do not, in reference to the armament industry fall into the province of the Reichs' Ministry of war. In case of mobilization the following are subordinate to him:

Reichsministry of economic affairs
Reichsministry for food and agriculture
Reichsministry of Labor
Reich's forest-master and all Reichsoffices immediately subordinate to the Fuehrer.

In case of mobilization he will direct and be responsible for the financing of the war effort (in the province of the financeministry and the Reichsbank).

These ministries and the Reich's authorities are bound already in time of peace to observe his recommendations for the preparation of a war economy and the financing of the war-effort.

2.) The Reichsminister of War and the plenipotentiary for war economy will effect the preparations for mobilization in closest cooperation on both sides.

3.) The plenipotentiary-general for war-economy will be a permanent member of the Reich Defense Council (Reichsverteidigungsrat). Within the working committee he represents through his leadership staff the interests of war economy. The department heads (Referenten) for the defense of the Reich of the Ministries mentioned in Point I are bound by the recommendations of this leadership staff.

Foundation:

The State of War, an institution of the old law, as it was established in the old Reichsconstitution of 1871, the Prussian law on the state of siege of 4 June 1861 and the Bavarian law on the state of war of 5 Nov 1912, has been only incompletely replaced in Article 48 of the Reichsconstitution of II August 1919. Moreover, the provisions of Article 48 no longer correspond to the actual legal conditions.

The new law for the defense of the Reich should create clear legal bases for the transfer of the whole machinery of state from a state of peace to one of war. In this connection it was to be noted that a state of war can begin unexpectedly or from a state of foreign political tension. Since the time of such tension must be utilized as far as foreign political relations will bear, it in order to create a readiness for war in time, the law for the defense of the Reich provides two steps for the transfer from state of peace to state of war:

1. The state of defense
2. The mobilization

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For both steps of war preparation, the law gives the legal basis, upon which the individual measures of the Reichsdepartments can be built up as the council for the defense of the Reich instructs.

It is to be mentioned in regard to the provisions of the law in detail:

To Article 2

The exercise of the power of execution by the Reichminister of war under the Führer and Reichschancellor should emphasize the pressing necessity of all demands of the immediate conduct of the war and should guarantee their fulfillment.

To Article 4, Section 3

In numerous laws special provisions for war are contained. It is therefore necessary, to establish the beginning of a state of war, in respect to times in order to create clear conditions for the administration of justice etc. Since, however, in a future war official declarations of war are not to be expected, as a result of which Article 42 Section 2 of the Reichsconstitution also is obsolete, the beginning of a state of war is to be considered as being at the same time as the beginning of the mobilization.

To Article 6

The experiences of the great war have demonstrated the necessity of including during a war the entire economy and the financing of the conduct of the war under unified leadership. The plenipotentiary-general for war-economy should according to the will of the Führer and Reichschancellor take over the responsible leadership and stands thereby independently along side the Reichsminister of war, the possessor of the power of execution, and responsible for his realm of activity under the Führer and Reichschancellor.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2261-PS

28 November 1945

I, FRED NIEBERGALL, 2nd Lt. Inf, O-1333567, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a correct and true translation of Document No. 2261-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1333567

H1171 - 0015

14

TRANSLATION OF DOCUMENT 2986-PS
OFFICE OF U S CHIEF OF COUNSEL

I, Wilhelm Frick, being first duly sworn, depose and say:

I was Plenipotentiary for Reich Administration (Generalbevellmaechtigter fuer die Reichsverwaltung) from the time when this office was created, until 20 August 1943. Heinrich Himmler was my deputy in this capacity. Before the outbreak of the war my task as Plenipotentiary for Reich Administration was the preparation of organization in the event of war, such as, for instance, the appointment of liaison men in the different ministries who would keep in touch with me. As Plenipotentiary for Reich Administration, I, together with the Plenipotentiary for Economy and the OKW formed what was called a "3-Man College" (Dreierkollegium). We also were members of the Reich Defense Council (Reichsverteidigungsrat), which was supposed to plan preparations and decrees in case of war which later on were published by the Ministerial Council for the Defense of the Reich. Since, as soon as the war started, everything had to be done speedily and there would have been no time for planning, such measures and decrees were prepared in advance in case of war. All one then still had to do was to pull out of the drawer the war orders that had been prepared. Later on, after the outbreak of the war, these decrees were enacted by the Ministerial Council for the defense of the Reich.

(Signed) Dr. Wilhelm Frick

Subscribed and sworn to before me this 19th day of November 1945 in Nuremberg, Germany.

(Signed) Warren F. Farr
Major, Judge Advocate General's Department
Army of the United States
Office of U.S. Chief of Counsel for Prosecution of Axis Criminality

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2986-PS

21 November 1945

I, WALTER E. MENKE, Civilian, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2986-PS, as corrected.

WALTER E. MENKE
Civilian

TRANSLATION OF DOCUMENT EC 177
OFFICE OF U.S. CHIEF OF COUNSEL

15

TOP SECRET

The Reichswehr Minister

Berlin, 22 May 1933

T.A. Nr. 421/33 g. Kdos. T 2 III A:

40 Copies
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P R O T O C O L

Of the 2nd Session of the Working Committee of the Delegates for Reich Defense.

Time: 26 April 1933

Start: 1000 hours
End : 1230 hours

Place: Large Conference Room in Reichswehr Ministry

Participants:

Reichswehr Ministry:	
Dept. of the Field Army (Truppenamt):	Chief Lt. Gen Adam
T 2	Chief Col. Keitel
	Capt. Schmundt
	Capt. Pruetor
T 2 Administration	Min. Rat. Dr. Weber
T 1 IV	Major Cercke (ret)
Dept. of Air Raid Protection:	Capt. Speidel
Dept. of the Res. Trg. and Repl. Army (Wehrmacht):	
Chief of Staff	Lt. Col. Minzer
In 6 " " "	Lt. Col. Guderian
In 7 " " "	Lt. Col. Fellgiebel
Ordnance Dept. (Waffenamt):	Lt. Col. Stud
Wa Wi.	Major Barlimont
Administrative Dept.: (V3)	Min Rat. Reich
Ministry Office:	
W.	Col. von Viebinghoff
Security	Capt. Tschache
	Capt. Wahle
Delegates for Reich Defense from the Reich Ministries:	
Foreign Office:	Legation Secretary von Bulow
Interior:	Ob. Reg. Rat. Erbe
Finance:	Gen. Finanzrat Papenhausen
Economics:	Min. Rat. Godlewski
	Reg. Rat Dr. Barth
Labor:	Min. Rat Sieler
Postal:	Min. Rat Delvendahl
Traffic:	Min. Rat Koffka
Justice:	Min. Rat Koffka
Food and Agriculture:	Amtsgerichtsrat Bretschneidner
Air:	Capt. Bolle (ret)
Prussian Ministry of the Interior:	Ob. Reg. Rat Diels

Minutes:

Lt. Gen. Adam: Welcoming of the delegates especially of the respresentative of the Air Ministry present for the first time.

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Information about the decision of the Reich Cabinet of the 4 April 1933 to form a "Reich Defense Council".

Reference to:

a. Change of the responsibility for the defense of the Reich.

b. The decision to make the activities of the delegates a full-time job, and the necessity for this measure order to master the important and extensive tasks.

With a wish for trustful cooperation in the working committee of the RVR (Reich Defense Council) transfer of the presidency to Col. Keitel (Chief T 2).

Col. Keitel: After welcoming takes up business of the day.

Item 1

Thoughts about a Reich Defense Council

All great European powers which are at freedom to arm, have a RVR. One does not have to refer to history to prove the necessity of this institution. The war has shown conclusively that the cooperation with the various ministries has not been close enough. The consequences did not fail to materialize. The soldier is not in a position to help only in all matters. The disadvantages of the past system were caused by parallel efforts of the various ministries in matters of the Reich defense. To avoid those mistakes a central agency has been created which occupies itself already in peacetime in the widest sense with the problems of Reich Defense. This working staff will continue its existence in time of war.

In accordance with the cabinet decision of the 4 April 1933 the Reich Defense Council, which until now had been prepared for war emergency, will go into immediate action.

In time of peace its task will be to decide about all measures for the preparation of the defense of the Reich, while surveying and utilizing all powers and means of the nation. To this effect a law placing every German and his person l property at the war service of the nation (Kriegsleistungsgesetz) is being prepared which will be subritted to the committee after its completion.

Composition of the Reich Defense Council:

President: Reichs Chancellor Deputy: Reichswehr Minister

Permanent Members: Minister of the :

Reichswehr
Foreign Affairs
Interior
Finance
Economic Affairs
Public Enlightenment and Propaganda
Air
Chief of Army Command Staff
Chief of Navy Command Staff

Depending on the case: The remaining minister, other personalities, e.g., leading industrialists, etc.

In order to regulate the work it is necessary to determine who will do the drafting of the various tasks and in what manner. The Reich ministries will receive instructions in this regard from the Reichswehr Minister

Item 2

Full-time Employment of the Delegates:

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Whether the full-time employment of delegates for the Reich Defense Council necessitates changes of personnel within the permanent committee will have to be decided by the ministries concerned. It is requested to settle this matter with the various ministries and to inform the Reichswehrminister which full-time delegate is slated for the working committee.

Ob. Reg. Rat Erbe (Interior): The solution of this question is rendered more difficult by the fact that each of the delegates has already a large field of work, to which he is deeply attached and which he will part with unwillingly.

Ob. Reg. Rat Diels (Prussian Ministry of the Interior): Is of the same opinion. He himself is in addition, in charge of the Secret State Police. Remedy: Full time assistants.

Min Rat Goedewski (Economics): Recommends the solution of the Reich Ministry of Economics: The delegate keeps his own field of work with addition of the Reich Defense tasks, which are handled by a special official (at present Rat Dr. Barth) exclusively and as a full time job. This way a higher official retains the direction, without being overburdened with the work.

Lt. Gen. Adam: Agrees with the opinion of Min. Rat Goedewski and proposes a similar solution for the other Reich Ministries.

Amtsgerichtsrat Bretschneider (Food and Agriculture): Does not believe that the Ministry of Food and Agriculture will be able to send a special delegate in view of the general overload with work.

Col. Keitel: The amount of work of the Reich Ministry of Food and Agriculture will not decrease. Food supply, however, is of the utmost importance in case of mobilization, so that an intensive cooperation on the part of this ministry is absolutely essential.

Min. Rat Schmidt (Traffic): At the Traffice Ministry hardly any higher officials can be made available for this full time task. A good deal of the work in the realm of the Reich Defense could be done by the R.E.K.

Lt. Gen. Adam: The tasks will be distributed and it is a matter of the various ministries to take care of same. Best solution: Higher official with full time assistants.

Col Keitel: Points out once more the urgency of the tasks, since it had been possible to do only very little in this connection during the last years. He asks the delegates to consider the Reich Defense at all times and represent it accordingly at the drafting of new laws. Experiences of the wars are available and are at the disposal of the various ministries: (e.g. Reich Archives, Memorandum of an administrative official about gasoline supply). All these sources must be taken advantage of for the future. The task of the full time delegates is also to bring about a close cooperation of the ministries with each other.

Min Rat Schmidt (Traffic): Requests a complete roster of the committee members.

Col. Keitel: Agrees to that, as soon as the ministries have named their full-time delegates.

Item 3

Nature of Work Plans

In the work plans the questions and ideas are laid down, which have come up in the Reichswehr Ministry and must be considered in case of mobilization. Up to the present time the support on the part of other ministries was frequently based only on personal helpfulness since any authority from above was lacking. The following work plans are finished:

a. Work Plan for the Reichs Ministry of Economics
" " " " " " " Food and Agriculture
" " " " " " " Labor

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These three are composed in one work plan for the preparation of a war economy.

b. Work Plan for the Reich Postal Ministry

c. Work Plan for the Reich Traffic Ministry.

Request the plans to be worked through carefully by the competent ministries. The plans will be discussed beginning of June, when proposals for improvements may be made. The other ministries which have no work plans yet will receive them later on. The office of air raid protection will work out a work plan in conjunction with the Reich Commissariat for aviation.

Min. Rat Godlewski (Ministry of Economics):

1. In case a completed plan for mobilization is to be created a preparation of requisition orders for the supply of raw materials, creating of war industries and getting in touch with personalities to be charged with these tasks in case of war, is necessary. All this means years of work.

2. What about the financial aspects of this work? Naturally, large sums will be required for it, with which the ministry concerned will be debited. To what extent can this be carried out in practice and to what extent will it remain only paper work once more?

Col. Keitel: Certainly, the working out of these plans requires a long time. The Reichswehr Ministry has worked for years on the principles of Reich Defense, too. The organization of a war economy always requires plenty of money and time. It is just the reason for and the purpose of the working committee of the Reich Defense Council to overcome these difficulties. Proposals and inquiries of the various Reich ministries must be made the subjects of sessions of the Reich Defense Council (Cabinet) by the working committee. It is to be decided there, which tasks have priorities over others and for which purposes means have to be available. Nevertheless, the financing of the various proposals remains a matter of the ministry concerned. The direct influence of the Reich Chancellor on these tasks represents, however, a great progress compared with past times. The various ministries have to submit yearly budget proposals, which are to be approved separately.

Min. Rat Delvendahl (Postal Ministry): Sees an acceleration of the tasks in a direct cooperation with the Wehrmacht experts. Which is the competent agency for that in the Reichswehr Ministry?

Col. Keitel: The Army Organization Department is competent only for the great guiding principles. Technical matters are to be settled with the special offices of the Reichswehr Ministry. Inquiries regarding the specialists are to be addressed to the secretary of the Reich Defense Council, Capt. Schmundt.

Min. Rat Delvendahl (Postal Ministry): Who is competent in questions of general nature?

Col. Keitel: Can be decided only from case to case.

Item 4

Security and Secrecy

Question has been brought up by the Reich Ministries.

The secrecy of all Reich defense work has to be maintained very carefully. Communications with the outside by messenger service only, has been settled already with the Post Office, Finance Ministry, Prussian Ministry of the Interior and the Reichswehr Ministry. Main Principle of security: No document must be lost since, otherwise, the enemy propaganda would make use of it. Matters communicated orally cannot be proven, they can be denied by us in Geneva. Therefore, the Reichswehrministry has worked out security directives for the Reich Ministries and the Prussian Ministry of the Interior.

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Reading of the Security directives (Rn. M.T.A. Nr. 285/33 G.K. T 2 III A dated 19 April 33), by Capt Schmundt.

Col. Keitel: Under no circumstances communications by mail.

Min. Rat. Delvendahl (Postal Ministry): Secret but urgent letters can be mailed in locked leather cases wrapped in special envelope. Hoasks for a moderation of the dispatching directives.

Col. Keitel: The main thing is that the mail in the various ministries is opened by the addressee himself and not by the main office or another agency. It is of utmost importance that ways and means are provided to guarantee an absolutely safe transportation.

Min. Rat Rat Koffka (Ministry of Justice): It is most dangerous to mark the outside of the letters "Secret". Incidentally, up to the present time there is no real protection furnished in the Ministry of Justice. Only one steel safe is available.

Col. Keitel: The need for steel safes grows only slowly. The Reichswehr Ministry has spent a lot of money to obtain a sufficient number of steel safes for itself and the branch offices. Steel safes remain, nevertheless, an urgent requirement. Letters are to be addressed to the recipient personally.

Gen Finanzrat Wagenhensch (Finance Ministry): If letters pertaining to Reich Defense can be written in such a way that in case of loss their contents cannot be recognized as mobilization measures by enemy news services, express matters must be dispatched by mail

Col. Keitel: The purpose of the directive is not to represent clear unequivocal instructions for all cases, but to point out inherent dangers in case of leakage. Have to be decided separately in every case. Proposals about this matter in June. The purpose, not the form decides.

Item 5

Leaves of absence resp. releases from duty for the purpose of participation in training measures outside the Wehrmacht.

Notices pertaining to this subject have been sent to Ministries already. Reich Cabinet has decided to grant leaves of absence to officials in the services of the Reich, etc., without deducting that time from their recreational leaves. The Reich authorities in the Reich will be informed by the Wehrkreigkommandos. I request the Russian Ministry of the Interior to state whether this measure is to be in effect in it sphere, as well.

Ob. Reg. Rat Diels (Pr. Min. of the Int.): Agrees for Prussia.

Min. Rat Schmidt (Traffic): For the RR officials etc. this will be settled by the M.T.K. The authorities will be informed orally, but how is one to go about the instruction of the laborers. 27,000 workmen at the administration of waterways construction alone? Does that not invite abuses? What about secrecy in that case?

Col. Keitel: Only the authorities are to be informed. The men will be advised by the Wehrmacht agencies themselves. The men volunteer since they are mostly in reserve units. During the training

a. Security
b. Regulation of leaves of absence.

will be explained. Unfortunately, the announcement of a leave will schedule is not possible. The Ministries need not worry about the orientation of the men. What matters is that the superiors authorized to grant leaves are informed accordingly in advance.

Item 6

Storage of Weapons

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a. Renting of state owned lands (e.g. State Forestry areas) must be accomplished without cost.

b. The Finance Ministry has set up a "re-enforced border control service". The value of this organization lies in the distribution of personnel among the customs sectors - equal to border protection sectors. Exchange of personnel rosters between the customs etc., authorities and the Wehrkreise is in effect already. The peace-time maneuvers of the re-enforced border control service are of great importance.

c. Storage of weapons near the location where they will be needed. Unfortunately weapon stores are not always secret any more (Czech newspaper). Secrecy must be maintained to a much greater extent, appeal to, the assembled gentlemen.

d. Request to the postal authorities: Protection of Reich mail service to be prepared for the event of mobilization (at present available only in case of domestic disorders). The border protection maneuvers in Breslau have disclosed many deficiencies in communications in case of a Polish invasion of Upper Silesia. Police is not to be made available for such purposes. What has been the mission of the Landsturm in days past will have to be carried out by organizations created by the Reich Ministries themselves.

e. Consideration of the interests of Reich Defense when drafting new laws. (Examples: Construction Industry, electrification of railways). Cooperation by the Ministries is requested. Considerations of thrift alone must not be the determining factor. The interests of Reich Defense must not be forgotten for one moment.

Min. Rat Dalvendahl (Postal Ministry): Asks for the text of the cabinet resolution with regard to the Reich Defense Council.

Capt. Tschache (Ministry Office): Reads it.

Col. Keitel: Promises each of the Ministries a copy of the decree of the cabinet resolution. A discussion of the work plans in separate sessions is planned for the beginning of June.

Ob. Reg. Diels (Prussian Min. of Int.): Asks the council to deal directly with the Gestapo Department with regard to Reich Defense problems, since furnishes the best guarantee for the secrecy of the problems and tasks and because that office is anyway the competent agency in the Pr. Min. of the Int. to deal with the district registration offices, Control agencies, border protection, etc.

sgd. Keitel

Distribution:
See list of participants in the
first part of the document.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. EC 177

13 December 1945

I, EDGAR BODENHEIMER, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. EC 177.

EDGAR BODENHEIMER

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Exhibit #3 247
Filed Jan. 23, 1946

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TRANSLATION EXCERPT FROM DOCUMENT EC-407
OFFICE OF U. S. CHIEF OF COUNSEL

M I N U T E S

of the 12th Meeting of the Reichs Defense Council

Time: 14 May 1936 Begin: 10:00 o'clock

Place: Grand Conference Room of National Ministry of War End: 14:00 o'clock

(Secret business of the Command)

1.) The National Minister of War and Supreme Commander of the Armed Forces, General Field Marshal von Blomberg, opened the 12th meeting of the Reichs Defense Council by expressing thanks for the work accomplished and pointing out in principle the necessity of a preparation for a total mobilization with emphasis on the most important measures to be taken at this time. (Among others: mobilization schedule, legal basis, preparations in the remilitarized zone). He further indicates the assignment of the national resources (Reichsressort) to finance its measures for preparation of the Reichs defense out of its budget.

2.) The chairman of the Reichs Defense Council, Lieutenant General Keitel, states:

In todays and future meetings of the Reichs Defense Council a cross section of the general situation concerning all matters of the national defense is presented. The picture of the situation does not appear in the reports of the meetings. The open discussion of State secrets before our large council gives the special obligation to the chairman of the Reichs Defense Council of pointing out its secrecy.

Todays session takes place under the auspices of the restoration of the State authority in the demilitarized zone.

The difficulties of the economic situation, which are presented today, must be mastered.

3.) The serious raw material and foreign exchange situation has led to the special mandate given to the Prussian Ministerpresident Goering by the Fuehrer and Reichschancellor of which the Reichs resources were notified. In order to strengthen the connection between the Prussian Ministerpresident and the Reichs Defense Council, one more representative for the raw material and foreign exchange matters, besides the official national defense council representatives of the Prussian Ministerpresident, is appointed as a permanent member to the Reichs Defense Council according to a cabinet resolution of April 4, 1933: Lieutenant Colonel L o e b of the National Air Ministry.

4.) The following changes took place in the Reichs Defense Council.

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The chairman welcomes as new members these representatives of the National Office for Regional Planning: Director Bloecker (not present) and Dr. Schoners.

Replaces were:
in the National Ministry of Finance Geheimrat Wapenhensch by Ministerial Director Dr. Mitze
in the Postal Ministry Postal Director Timme by Ministerial Director Schroeder
in the Ministry of Transportation Ministerial Counsel Schmidt by Ober Regierungs - and Baurat Pigge.

The chairman welcomes the new co-workers and expresses his gratitude to the gentlemen who have resigned for their valuable work in the Reichs Defense Council.

To Ober Regierungsrat Dr. Barth who left the executive staff of the plenipotentiary and the mobilization staff of the Ministry for Economics, and who was one of the first and most active fellow-workers in preparing the economic mobilization, the chairman gives the special thanks of the Reichs Defense Council.

A. About the present situation reports for the uniform preparation for the national defense are presented under special consideration of the experiences from the occupation of the demilitarized zone:

1.) by Secretary of the Legation von Buelow (Foreign Office) about the <u>foreign policy situation</u>.

The <u>chairman</u> gives the order to procure documents about Italy's measures against the sanctions to solve also our difficult problems concerning the armament economy and the demobilization. A study of war economy is suggested in view of various foreign policy situations.

2.) By Major von Wrochem (National Ministry of Public Enlightenment and Propaganda) about the <u>propaganda policy situation</u> at home and abroad.

The <u>chairman</u> points out the importance of propaganda as a weapon.

3.) By Colonel Jodl (W .. (L)) about the <u>military policy situation</u>.

The war of today is composed of many steps. The experiences during the tension period in March led to the recognition that in the Mobilization Book for the civil administration an arrangement to (3) periods of strain is unsuitable for preparatory measures; it will be abandoned. The measures to be taken in the "X" case and in the Mobilization case are combined in <u>one</u> chapter because they are almost the same. In part I of the Mobilization Book directives for this are drawn up. Its new edition and the directives for the mobilization schedule of the civil administration by the National Ministry of War is to be expected during the next quarter.

Explained are "Blockade Organization" and "Frontier Guard", changed inclusive Reichs defense measures, the details of which will be sent to the participating departments of the National Ministry of War. The participating civilian departments will

EC 407 (contd.)

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not be burdened to any great extent with new tasks and costs. The chairman points out that the new construction of the armed forces makes possible improvements in the preparation which will be effective beginning in the mobilization year 1937.

4.) By Colonel Thomas (WiA (W StB)) about the military economic situation.

The improvement of our military economic situation which is dependent on foreign countries in the task of the economic policy, to be influenced by the military economy, and a foreign policy which assures itself of economically strong allies.

5.) By Ministerial Director Wohltat (executive statt plenipotentiary) about the condition in the field of food, trade - and industrial economy, raw materials and foreign exchange.

To maintain the armament and food self-sufficiency, further increases in production and the most vigorous savings measures are necessary immediately, a demand, which has led to the special mandate of the Prussian Ministerpresident Goering. The chairman states comprehensively:

Through the occupation of the demilitarized zone, the military economic situation has improved. In relation with foreign countries the power of the Reich became stronger.

According to the last two lectures, we face a difficult situation in the National economy. To overcome them Ministerpresident Goering has given more detailed explanations at the beginning of this week. Three demands must remain:

a) the demand for armament depending upon the full capacity of our economic power. The Fuehrer wants no delay for this urgent task.

b) to maintain the productive capacity of our industry and agriculture avoiding the discharge of workers.

c) to maintain the food self-sufficiency of the people: a good harvest can be hoped for.

The progress in the production of substitutes, for instance in fodder, rubber, fuel, are still a live insurance for the people and the armed forces. With keeping this in mind their often uneconomically high costs have to be judged.

CERTIFICATE OF TRANSLATION
OF DOCUMENT EC-407

19 November 1945

I, HENRY JACOB, Civilian, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the first ten pages of Document EC-407.

HENRY JACOB

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TRANSLATION OF DOCUMENT 2194-PS
OFFICE OF U.S.Chief of Counsel

REICH DEFENSE LAW

G 300
Top Secret

The Ministry for Economy and Labor Saxony
Dresden and 6 for September 1939
Tel 52151/Long Distance 52051

Ref: Wbv:407g

To the Reich Protector in Bohemia and Moravia,
Transportation Section,
Attention of Construction Chief, Counsellor Hirches
or Representative in the Office.

Prag

(Stamp) The Reich Protector in
Bohemia and Moravia
received, Prag, 5 Sept.
1939. No. 274.

Enclosed please find a copy of the Reich Defense law of 4 Sept. 1938 and a copy each of the decrees of the Reichsminister of Transportation dated 7 October 1938 - R/L910,2212/38, Top Secret and of 17 July 1939-RL/LW 1,2173/39, Top Secret, for your information and observance. By order--

3 enclo.:

SIGNED: Kretschmar.

Completed at Dresden 4 September 1939.

3 enclosures.

SIGNED: Schneider

Receipt for the letter of 4 September 1939, bv:407g with 3 enclosures signed 5 September 1939 and returned to Construction Counsellor Kretschmar.

File: Wbv

SIGNED: HI

Top Secret
Enclosure 2
RL/LV 1.2861/390

The Reichsminister for Transportation

RL/V 1.2173/39

Berlin 17 July 1939

44 plus 2 copies
No.45

To the Subordinate authority of the Reich and the States as well as the General authority of the States to whom are attached:

(a) Waterways Deputies (Lbv)
(b) Deputies for local Transportation (Nbv)
(c) Deputies for ocean traffic. (Sbv)

To each one individually:

Subject: Protection of the secrecy of the law for the Reich Defense (RV - Gesetz).

Ref: Decree of 7 October 1938 RL/W 10.2212/38, Top Secret.

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The leader has agreed to the tacit omission of the secrecy protection of the Reich defense law of 4 September 1938 transmitted with the corresponding decree. In spite of the greater ease in business correspondence thus created the following limitations, which are herewith brought to your attention for compliance, have been ordered by the competent office.

1. It remains prohibited to cite the Reich Defense Law in public or in connection with laws to be promulgated, as well as publication of the contents of the law in its entirety.

2. It is permitted:

   a. the mention of all installations founded on the Reich Defense Law and their functions in public without referring to the law;

   b. the cosignature of laws which are prepared and announced in peacetime for war.

Deputy

Signed Baur.

SECRET STATE LETTER!

To GPS nr. 10/39.

Enclosure for RL/LV. 1. 2861/39 g.

The Reich Traffic Minister

RL/W 10. 2212/38 secret state matter

Berlin,W 8, the 7th October 1938
Wilhelmstrasse 80.

47 and 3 copies.

Examination Nr. 49

To the following Reich and State authorities from whom have been ordered

(a) deputies for water ways,

(b) deputies for the local traffic,

(c) deputies for ocean traffic

- but especially -

Subject: Reich Defense Law (Reichsverteidigungsgesetz).

Enclosed is transmitted copy of the Reich Defense Law signed by the leader and Reich Chancellor on 4 September 1938. The promulgation remains suspended.

Deputy

Signed Baur

To Wbv.: 407 g.

4076)

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TRANSLATION OF DOCUMENT 2194-PS

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TOP MILITARY SECRET

To GRS Nr. 10/39

1432

Reich Defense Law (Reichsverteidigungsgesetz).

of 4 September 1938.

The Reich cabinet has decided on the following law which is announced herewith.

I. State of Defense.

par. 1

(1) As possessor of the complete power of state, the leader and Reich chancellor can decree for the Reich territory or its parts a "State of Defense".

(2) If the political situation demands it the leader and Reich Chancellor decrees the "Mobilization". The mobilization can be limited to a part of the Reich or of the armed forces.

par. 2

(1) Once the territory of operation is determined the chief of the army and the commanders of the armies have upon declaration of the state of defense without further order the authority to exercise executive power in this operational territory.

(2) The commanders exercising executive powers can, effective for the territory of operations, promulgate laws, institute special courts, and issue directives to the officials and offices competent in the territory of operations, with the exception of the supreme Reich officials, the supreme Prussian country officials, and the Reich leaders of the NSDAP. The lawfulness of directives precedes directives from otherwise superior offices.

(3) The boundaries of the territory of operations are determined by the supreme commander of the armed forces.

(4) Special directives for the case of a surprise threat to the Reich territory.

If a part of the Reich territory is surprised by a military threat, and if special decrees for defense against this danger cannot be awaited, then the commanders of the imperilled service commands (Wehrkreise) have the right to issue the directives which cannot be delayed and which are necessary for the protection of the imperilled territory to all non-military offices within their sphere of command. The same rights apply to the commanding admirals of the Navy in case of surprise threats against the coastal territory, and to the commanders of air districts in case of surprise attacks from the air within the framework of their war tasks. The execution of these directives has precedence over the other commitments and the directives of superior offices. The named commanders can transmit their right of issuing directives to subordinate officers down to the village counsellor (Standortaeltester).

par. 3

(1) With the declaration of the state of defense the plenipotentiaries for the Reich administration ("Generalbevollmaechtigte fuer die Reichsverwaltung" GBV) named by the leader and Reich chancellor takes over the uniform leadership of the non-military administration with exception of the economic administration.

(4078)

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To him are subordinate

the Reich minister of the Interior

the Reich minister of Law

the Reich minister for science, education and popular education,

the Reich minister for religious matters,

the Reich office for regional order (Raumordnung).

(2) The GBV must comply with the demands of the supreme command of the armed forces (OKW) which are of considerable importance for the armed forces. If the demands cannot be brought in accord with the affairs of the Reich administration the leader and Reich chancellor makes the decision.

(3) The GBV has the right within his sphere to issue laws with the accor of the OKW and GGBW which differ from the existing laws.

par. 4

(1) With the declaration of the state of defense the chief deputy for economics ("Generalbevollmaechtigte fuer die Wirtschaft" GBW), appointed by the leader and Reich chancellor, takes over the direction of the economy except for the armament industry.

(2) It is the task of the GBW to put all economic forces into the service of the Reich defense, and to safeguard economically the life of the German nation. To him are sub-ordinate

the Reich minister of economics,

the Reich minister of nutrition and agriculture,

the Reich minister of work,

the Reich chief of forestry,

the Reich commissar for price control.

He is furthermore responsible for directing the financing of the Reich defense within the realm of the Reich finance ministry and the Reich bank.

(3) The GBW must carry out the demands of the OKW which are of considerable importance for the armed forces; and he must insure the economic conditions for the production of the armament industry directed immediately by the OKW according to its demands. If the demands of the armed forces cannot be brought into accord with the affairs of economy, then the leader and Reich chancellor decides.

(4) The GBW has the right within his sphere to issue laws with the consent of the OKW and GBV which differ from the existing laws.

par. 5

(1) The Reich postal minister, the Reich transportation minister, and the general inspector for the German road net are, with the declaration of the state of defense, bound to the demands of the OKW for the immediate affairs of the armed forces.

(2) The following will get orders from the OKW :

(a) the Reich transportation Minister for the use of means of transportation.

(b) the Reich postal minister for the use and distribution of the complete communication connections to the armed forces and the other agencies.

(3) The Reich transportation minister must comply, with the declaration of the state of defence, with the demands of the GBW according to the directions given to him by the OKW for the use of the means of transportation.

(4) In the spheres of the Reich postal minister, of the Reich transportation minister, and of the general inspector for the German road net, the chief of the OKW has the right to promulg. laws in accord with the GBW and GBW which differ from the existing laws.

Par 6.

The Reich ministers and chief Reich offices carry out the tasks within their spheres on their own responsibility, regardless of the special competence of the chief of the OKW, of the GBW, and of the GBW, according to paragraphs 3, 4 and 5.

Par 7.

For the shaping of the political will of the people the deputy of the leader of the NSDAP is responsible. He uses for that the NSDAP, its formations and coordinated units.

II. State of War.

Par 8.

(1) If the fight with an external enemy is forced upon the German people, the leader and Reich Chancelor declares the state of war.

(2) With declaration of the state of war the war laws and war decrees come into force without further order. The legal consequences provided in other laws for the state of war become effective.

Par 9.

If the state of defence is not already declared beforehand the decrees about the state of defence go into effect with declaration of the state of war,

III Preparatory Measures.

Par 10.

The Reich Defence Counsel (Reichsverteidigungsrat (RVR)

(1) The task of the Reich Defence Counsel consists in peace time in the decision on all measures for the preparation of the Reich defence and the gathering together of all forces and means of the nation according to the directions of the leader and Reich chancellor. The tasks of the RVR in war time will be specially determined by the leader and Reich chancellor.

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(2) The leader of the Reich chancellor is chairman in the RVR. His permanent deputy is general field marshall Goering. He has the right to call conferences of the RVR. Permanent members of the RVR are

the Reich Minister of air and supreme commander of the air force,
the supreme commander of the army,
the supremem commander of the navy,
the chief of the OKW,
the deputy of the leader,
the Reich Minister and chief of the Reich chancellery,
the president of the secret cabinet council,
the chief plenipotentiary for the Reich administration,
the chief plenipotentiary for economics,
the Reich Minister of foreign affairs,
the Reich Minister of the Interior,
the Reich finance minister.
the Reich Minister for popular enlightenment and propaganda,
the president of the Reich bank directory.

The other Reich Ministers and the Reich offices directly subordinate to the leader and Reich chancellor are consulted if necessary. Further personalities can be called as the case demands.

Par. 11.

The Reich Defence Committee (Reichsverteidigungsausschuss RVR)

(1) The Reich defence committee is the working committee of the RVR. It prepares the decisions of the RVR, sees to their execution, and secures collaboration between armed forces, chief Reich offices, and party.

(2) Presiding is the chief of the OKW. He regulates the activity of the committee and gives the directions to the GBV and GBW and to the Reich ministries not subordinated to them and to the chief Reich offices according to the decisions of the RVR, which directions are necessary for securing their uniform execution.

(3) The RVR is composed of the OKW, deputy of the commissioner for the four year plan, the leader staffs of the GBV and GBW, and the Reich defence officials.

(4) Chief office officials for the Reich defence (RV-Referonten) and their deputies are commissioned by the deputy of the leader, by the Reich chancellery, by each Reich ministry, by the Reich leader of the SS and chief of the German police, by the Reich work leader, by the Reich forest master, by the chief inspector for the German road net, by the Reich office for regional order, by the Reich bank directory, and in the Prussian state ministry. The RV-Referent and his deputy are immediately subordinate to the minister or the state secretary, and to the chief of the Reich office, resp.

Par 12.

The uniformity of the preparations for the start and the course of the mobilization is secured by the OKW.

As regards the actual formulation of the preparations, the GBV and GBW make the arrangements for their sphere.

Par 13.

The Chief Plenipotentiary for the Reich Administration (GBV)

The GBV conducts the preparations for the Reich defence in the sphere of the ministries and Reich offices subordinate to him according to paragraph 3. They are bound by his directions already in peace time.

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par. 14

The Chief Plenipotentiary for Economics (GBW):

(1) The GBW conducts the economic preparations for the Reich defence as far as they do come in the sphere of the OKW as regards the armament industry,

(2) The GBW must secure the economic conditions for the production of the armament industry immediately directed by the OKW according to its demands.

(3) The ministries and Reich offices named in paragraph 4 (2) are, within the frame work of these directives, already bound for the preparation of the Reich defense to the directions of the GBW, the Reich transportation minister to his demands according to paragraph 5 (3).

IV. Final Directions.

par. 15.

Penal Directions.

Whoever acts against the orders of a decree promulgated on the basis of this law, on purpose or negligently, will be punished with a jail sentence and money fine or with one of these punishments, if the act is not punishable with a heavier sentence according to other decrees.

par. 16.

Execution and Completion Directives.

The OKW promulgates in agreement with GBV and GBW the law and administrative directives necessary for the execution and completion of this law.

par. 17.

The law takes effect immediately.

Berchtesgaden, the 4th September 1938.

The leader and Reich Chancellor
signed Adolf Hitler

signed Goering
General Field Marshall

The deputy of the Leader
signed R. Hess

The Reich Minister of the Interior
signed Frick

The Chief Plenipotentiary for Economics
signed Walther Funk

The Reich Foreign Minister
signed Ribbentrop

The Chief of the OKW
signed Keitel

The Reich Minister and Chief of the Reich Chancellory
signed Dr. Lammers

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TRANSLATION OF DOCUMENT NO. 2194-PS
OFFICE OF U.S. CHIEF OF COUNSEL.

Berchtesgaden, the 4, September 1938.

Note to the Reich Defense Law.

1. The Publications of the Reich Defense Law of 4 Sept. 1938, remains suspended.

2. The following laws and cabinet decisions are repeated effective immediately.

A. Reich Defense Law of 21 May 1935.

B. Decision of the Reich Cabinet of 4 April 1933 to form a Reich Defense Counsel.

C. Rectification and completion of 13 Dec. 1934 of the decision of the Reich Cabinet of 4 Apr. 1933.

D. Decision of the Reich Cabinet of 21 May 1935 on activity of the CB in peace times.

The Leader and Reich Chancellory,
(signed) Adolph Hitler.

The Reich Minister and Chief
of Reich Chancellory,
(signed) Dr. Lammers.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2194-PS

I, A. BREINER, X-046349, Civilian, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2194-PS.

A. BREINER.
Civilian
X-046349.

Page 153 of:
National Socialistic
Yearbook 1941

(Nationalsozialistishes Jahrbuch 1941)

Edited by: Dr. Robert Ley
Published by: Central Publishing
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successor Munich

THE PROGRAM OF THE NSDAP

The program is the political foundation of the NSDAP and accordingly the primary political law of the State. It has been made brief and clear intentionally.

All legal precepts must be applied in the spirit of the party program.

Since the taking over of control, the Führer has succeeded in the realization of essential portions of the Party program from the fundamentals to the detail.

The Party Program of the NSDAP was proclaimed on the 24 February 1920 by Adolf Hitler at the first large Party gathering in Munich and since that day has remained unaltered. Within the national socialist philosophy is summarized in 25 points:

1) We demand the unification of all Germans in the Greater Germany on the basis of the right of self-determination of peoples.

2) We demand equality of rights for the German people in respect to the other nations; abrogation of the peace treaties of Versailles and St. Germain.

3) We demand land and territory (colonies) for the sustenance of our people, and colonization for our surplus population.

4) Only a member of the race can be a citizen. A member of the race can only be one who is of German blood, without consideration of creed. Consequently no Jew can be a member of the race.

5) Whoever has no citizenship is to be able to live in Germany only as a guest, and must be under the authority of legislation for foreigners.

6) The right to determine matters concerning administration and law belongs only to the citizen. Therefore we demand that every public office, of any sort whatsoever, whether in the Reich, the county or municipality, be filled only by citizens. We combat the corrupting parliamentary economy, office-holding only according to party inclinations without consideration of character or abilities.

7) We demand that the state be charged first with providing the opportunity for a livelihood and way of life for the citizens. If it is impossible to sustain the total population of the State, then the members of foreign nations (non-citizens) are to be expelled from the Reich.

8) Any further immigration of non-citizens is to be prevented. We demand that all non-Germans, who have immigrated to Germany since the 2 August 1914, be forced immediately to leave the Reich.

9) All citizens must have equal rights and obligations.

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10) The first obligation of every citizen must be to work both spiritually and physically. The activity of individuals is not to counteract the interests of the universality, but must have its result within the framework of the whole for the benefit of all.

Consequently we demand:

11) Abolition of unearned (work and labour) incomes. Breaking of rent-slavery.

12) In consideration of the monstrous sacrifice in property and blood that each war demands of the people, personal enrichment through a war must be designated as a crime against the people. Therefore we demand the total confiscation of all war profits.

13) We demand the nationalization of all (previous) associated industries (trusts).

14) We demand a division of profits of all heavy industries.

15) We demand an expansion on a large scale of old age welfare.

16) We demand the creation of a healthy middle class and its conservation, immediate communalization of the great warehouses and their being leased at low cost to small firms, the utmost consideration of all small firms in contracts with the State, county or municipality.

17) We demand a land reform suitable to our needs, provision of a law for the free expropriation of land for the purposes of public utility, abolition of taxes on land and prevention of all speculation in land.

18) We demand struggle without consideration against those whose activity is injurious to the general interest. Common national criminals, usurers, Schieber and so forth are to be punished with death, without consideration of confession or race.

19) We demand substitution of a German common law in place of the Roman Law serving a materialistic world-order.

20) The state is to be responsible for a fundamental reconstruction of our whole national education program, to enable every capable and industrious German to obtain higher education and subsequently introduction into leading positions. The plans of instruction of all educational institutions are to conform with the experiences of practical life. The comprehension of the concept of the State must be striven for by the school (Staatsbürgerkunde) as early as the beginning of understanding. We demand the education at the expense of the State of outstanding intellectually gifted children of poor parents without consideration of position or profession.

21) The State is to care for the elevating national health by protecting the mother and child, by outlawing child-labor, by the encouragement of physical fitness, by means of the legal establishment of a gymnastic and sport obligation, by the utmost support of all organizations concerned with the physical instruction of the young.

22) We demand abolition of the mercenary troops and formation of a national army.

23) We demand legal opposition to known lies and their promulgation through the press. In order to enable the provision of a German press, we demand, that a) all writers and employees of the newspapers appearing in the German language be members of the race: b) non-German newspapers be required to have the express permission of the

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State to be published. They may not be printed in the German language:
c) Non-Germans are forbidden by law any financial interest in German publications, or any influence on them, and as punishment for violations the closing of such a publication as well as the immediate expulsion from the Reich of the non-German concerned. Publications which are counter to the general good are to be forbidden. We demand legal prosecution of artistic and literary forms which exert a destructive influence on our national life, and the closure of organizations opposing the above made demands.

24) We demand freedom of religion for all religious denominations within the state so long as they do not endanger its existence or oppose the moral senses of the germanic race. The Party as such advocates the standpoint of a positive Christianity without binding itself confessionally to any one denomination. It combats the Jewish-materialistic spirit within and around us, and is convinced that a lasting recovery of our nation can only succeed from within on the framework: common utility precedes individual utility.

25) For the execution of all of this we demand the formation of a strong central power in the Reich. Unlimited authority of the central parliament over the whole Reich and its organizations in general. The forming of state and profession chambers for the execution of the laws made by the Reich within the various states of the confederation. The leaders of the Party promise, if necessary by sacrificing their own lives, to support by the execution of the points set forth above without consideration.

Adolf Hitler proclaimed the following explanation for this program on the 13 April 1928:

EXPLANATION

Regarding the false interpretations of Point 17 of the program of the NSDAP on the part of our opponents, the following definition is necessary:

"Since the NSDAP stands on the platform of private ownership it happens that the passage" gratuitous expropriation concerns only the creation of legal opportunities to expropriate if necessary, land which has been illegally acquired or is not administered from the view-point of the national welfare. This is directed primarily against the Jewish land-speculation companies.

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 1708-PS

19 November 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document No. 1708-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567.

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TRANSLATION OF DOCUMENT 2541-PS
OFFICE OF U. S. CHIEF OF COUNSEL

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EXCERPTS FROM GERMAN PUBLICATIONS

(Der Grossdeutsche Freiheitskampf, Reden Adolf Hitler; Nationalsozialistische Monatshefte, Hitler; Signale der Neuen Zeit, Goebbels)

1.a. "On the contrary I pledged my sacred word to the German people to do away with the Treaty of Versailles and to restore to them their natural and vital rights as a great nation."

Speech of 6 October 1939, p. 740.

b. "The program of the National Socialist Movement, insofar as it affected the future development of the Reich's relations with the rest of the world, is simply at attempt to bring a definite revision of the Treaty of Versailles, though as far as at all possible this was to be accomplished by peaceful means. This revision was absolutely essential."

Speech of July 19, 1940, p. 231.

c. "When I came to power in 1933, our path lay unmistakably before us. Our internal policy had been exactly defined by our fifteen-year-old struggle. Our program, repeated a thousand times, obligated us to the German people. I should be a man without honor, worthy of being stoned, had I retracted a single step of the program I then enunciated..."

"My foreign policy had identical aims. My program was to abolish the Treaty of Versailles. It is futile nonsense for the rest of the world to pretend today that I did not reveal this program until 1933 or 1935 or 1937. Instead of listening to the foolish chatter of emigres, these gentlemen would have been wiser to read what I have--written thousands of times.

"No human being has declared or recorded what he wanted more than I. Again and again I write these words: 'The abolition of the Treaty of Versailles!...'"

Speech of 30 January 1941, pp. 392-393.
Der Grossdeutsche Freiheitskampf,
Reden Adolf Hitlers, Band I & 2,
Munchen, 1943.

2. "However, we will pursue no other ultimate aim than to win freedom for our German people and to secure a living-space for the German family."

Speech of 6 April 1941, p. 11
Der Grossdeutsche Freiheitskampf, Reden
Adolf Hitlers, Munich, 1943, Band III, p. 11

3. "It is impossible to build up an army and give it a sense of worth if the object of its existence is not the preparation for battle. Armies for the preservation of peace do not exist; they exist only for the triumphant exertion of war."

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Adolf Hitler
Nationalsozialistische-Monatsheft No. 3 1930, p. 101.

4. "However one thing is sure. We must include the German press into the responsibility of the state, because the right to write a newspaper is a duty to the authority. If a state demands that a physician obtain an appropriation how much more has it the right to give the appropriation to a man who can poison and disease whole classes of the people with his writing. This should not mean standardization of the public opinion, but it should mean that in the great and basic questions of a nation one opinion must rule.

"May I in closing give you a warning: Help us to destroy the parties. Nothing should remain of them..."

Goebbels, Signale der Neuenzeit
Zeutroverlag, 1934, pp. 167, 176.

CERTIFICATE OF TRANSLATION OF EXCERPT FROM DOCUMENT 2541-PS

8 November 1945

I, FRED NIEBERGALL, 2nd Lt. Inf., 0-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of excerpt from Document 2541-PS.

FRED NIEBERGALL
2nd Lt. Inf.
0-1335567

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TRANSLATION OF DOCUMENT 789-PS
OFFICE OF U.S. CHIEF OF COUNSEL.

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Pencilled note: Duplicate

Nov. 23, 1939, 1200 hours. Conference with the Fuehrer, to which all Supreme Commanders are ordered. The Fuehrer gives the following speech:

The purpose of this conference is to give you an idea of the world of my thoughts, which takes charge of me, in the face of future events, and to tell you my decisions. The building up of our armed forces was only possible in connection with the ideological (weltanschaulich) education of the German people by the Party. When I started my political task in 1919, my strong belief in final success was based on a thorough observation of the events of the day and the study of the reasons for their occurrence. Therefore, I never lost my belief in the midst of set-backs which were not spared me during my period of struggle. Providence has had the last word and brought me success. On top of that, I had a clear recognition of the probably course of historical events, and the firm will to make brutal decisions. The first decision was in 1919 when I after long internal conflict became a politician and took up the struggle against my enemies. That was the hardest of all decisions. I had, however, the firm belief that I would arrive at my goal. First of all, I desired a new system of selection. I wanted to educate a minority which would take over the leadership. After 15 years, I arrived at my goal, after strenuous struggles and many set-backs. When I came to power in 1933, a period of the most difficult struggle lay behind me. Everything existing before that had collapsed. I had to reorganize everything beginning with the mass of the people and extending it to the armed forces. First reorganization of the interior, abolishment of appearance of decay and defeatist ideas, education to heroism. While reorganizing the interior, I undertook the second task; to release Germany from its international ties. Two particular characteristics are to be pointed out; secession from the League of Nations and denunciation of the disarmament conference. It was a hard decision. The number of prophets who predicted that it would lead to the occupation of the Rhineland was large, the number of believers was very small. I was supported by the nation, which stood firmly behind me, when I carried out my intentions. After that the order for rearmament. Here again there were numerous prophets who predicted misfortunes, and only a few believers. In 1935 the introduction of compulsory armed service. After that militarization of the Rhineland, again a process believed to be impossible at that time. The number of people who put trust in me, was very small. Then the beginning of the fortification of the whole country especially in the west.

One year later, Austria came, this step also was considered doubtful. It brought about a considerable reinforcement of the Reich. The next step was Bohemia, Moravia and Poland. This step also was not possible to accomplish in one campaign. First of all, the western fortification had to be finished. It was not possible to reach the goal in one effort. It was clear to me from the first moment that I could not be satisfied with the Sudeten-German territory. That was only a partial solution. The decision to march into Bohemia was made. Then followed the erection of the Protectorate and with that the basis for the action against Poland was laid, but I wasn't quite clear at that time whether I should start first against the east and then in the west or vice-versa. Moltke often made the same calculations in his time. Under pressure the decision came to fight with Poland first. One might accuse me of wanting to fight and fight again. In struggle I see the fate of all beings. Nobody can avoid a struggle if he does not want to lose out. The increasing number of people requires a larger living space (Lebensraum). My goal was to create a logical relation between the number of people and the space for them to live in. The struggle must start here. No people can get away from the solution of this task or else it must yield and gradually die out. That is taught by history. First migration of peoples to the southwest, then adaptation of the number of people to the small space by emigration. In the last years, adaptation of the people to insufficient space, by reducing the number of births. This would lead to the death and weakening of the blood of the people. If a people chooses that course all their weaknesses are mobilized. One yields to the force of the outside and uses this force against one's self by killing of the child. This means the greatest cowardice, decimation of the number, and loss of value. I decided a different way; adaptation of the living space to the number of people. One acknowledgement is important. The state has a meaning only if it supports the maintenance of its population potential. In our case 82 millions of people were concerned. That

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means the greatest responsibility. He who does not want to assume this responsibility is not worthy of belonging to the mass of the people. That gave the strength to fight. It is one eternal problem to bring the number of Germans to a proper relationship to the available space. Security of the needed space. No calculated cleverness is of any help, solution only with the sword. A people unable to produce the strength for fight, must withdraw. Struggles are different than those of 100 years ago. Today we can speak of a racial fight. Today the fight for oilfields, rubber, treasures of the earth, etc. After the peace of Westphalia Germany disintegrated. Disintegration, impotence of the German Reich was determined by decree. This German impotence was removed by the creation of the Reich when Prussia realized her task. Then the opposition between France and England began. Since 1870 England has been against us. Bismarck and Moltke were certain that there would have to be one more action. The danger at that time was of a two-front war. Moltke was at times in favour of a preventive war. To take advantage of the slow progress of the Russian mobilization. German armed might was not fully employed. Insufficient sternness of the leading personalities. The basic thought of Moltke was the offensive. He never thought of the defense. Many opportunities were missed after Moltke's death. The solution was only possible by attacking a country at a favourable moment. Political and military leadership always declared that it was not yet ready. In 1914 there came the war on several fronts. It did not bring the solution of these problems. Today the second act of this drama is being written. For the first time in 67 years it must be made clear that we do not have a two-front war to wage. That which has been desired since 1870 and considered as impossible of achievement has come to pass. For the first time in history we have to fight on only one front, the other front is at present free. But no one can know how long that will remain so. I have doubted for a long time whether I should strike in the east and then in the west. Basically I did not organize the armed forces in order not to strike. The decision to strike was always in me. Earlier or later I wanted to solve the problem. Under pressure it was decided that the east was to be attacked first. If the Polish war was won so quickly, it was due to the superiority of our armed forces. The most glorious appearance in history. Unexpectedly small expenditures of men and material. Now the eastern front is held by only a few divisions. It is a situation which we viewed previously as unachievable. Now the situation is as follows: The opponent in the west lies behind his fortifications. There is no possibility of coming to grips with him. The decisive question is: how long can we endure this situation? Russia is at present not dangerous. It is weakened by many incidents today. Moreover, we have a pact with Russia. Pacts, however, are only so long as Russia considers it to be to her benefit. Even Bismarck thought so. Let one think of the pact to assure our back. Now Russia has far reaching goals, above all the strengthening of her position in the Baltic. We can oppose Russia only when we are free in the West. Further Russia is striving to increase her influence on the Balkans and is striving toward the Persoan Gulf. That is also the goal of our foreign policy. Russia will do that which she considers to benefit her. At the present moment it has retired from internationalism. In case she renounces this, she will proceed to Pan-Slavism. It is difficult to see into the future. It is a fact that at the present time the Russian army is of little worth. For the next one or two years the present situation will remain.

Much depends on Italy, above all on Mussolini, whose death could alter everything. Italy has a great goal for the consolidation of her empire. Those who carry this idea are fascism and the Duce, personally. The court is opposed to that. As long as the Duce lives, then it can be calculated that Italy will seize every opportunity to reach her imperialistic goal. However, it is too much to ask of Italy, that it should join in the battle before Germany has seized the offensive in the west: Just so Russia did not attack until we had marched into Poland. Otherwise Italy will think that France has only to deal with Italy, since Germany is sitting behind its West Wall. Italy will not attack until Germany has taken the offensive against France. Just as the death of Stalin, so the death of the Duce can bring danger to us. Just how easily the death of a statesman can come I myself have experienced recently. The time must be used to the full, otherwise one will suddenly find himself faced with a new situation. As long as Italy maintains this position then no danger from Jugoslavia is to be feared. Just so is the neutrality of Rumania achieved by the position of Russia. Scandinavia is hostile to us because of Marxistic influences, but is neutral now. America is still not dangerous to us because of its neutrality laws. The strengthening of our opponent by America is still not important. The position of Japan is still uncertain, it is

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yet certain whether she will join against England.

Everything is determined by the fact that the moment is favourable now, in 6 months it might not be so anymore.

As the last factor I must name my own person in all modesty: irreplaceable. Neither a military nor a civil person could replace me. Assassination attempts may be repeated. I am convinced of the powers of my intellect and of decision. Wars are always ended only be the destruction of the opponent. Everyone who believes differently is irresponsible. Time is working for our adversary. Now there is a relationship of forces which can never be more propitious, but can only deteriorate for us. The enemy will not make peace when the relationship of forces is unfavourable for us. No compromise. Sternness against ourselves. I shall strike and not capitulate. The fate of the Reich depends only on me. I shall deal accordingly. Today we have a superiority such as we have never had before. After 1914 our opponents disarmed themselves of their own accord. England disregarded the construction of her fleet. The fleet is no longer sufficiently large to safeguard the shipping lanes. Only two modern new constructions: Rodney and Nelson. New construction activity only in the cruisers of the Washington Class, which were, however, an unsatisfactory type. The new measures can become effective only in 1941. In the Abyssinian war England did not have enough strength to occupy the Iona Sea. At Malta, Gibraltar and London little anti-aircraft protection. Since 1937 a renewal of rearmament. At present however, only a small number of divisions, which must form the nucleus of new divisions. Material for the army being gathered together from all over the world. Not before next summer is a positive action to be expected. The British army has only a symbolic meaning. Rearmament in the air is proceeding. The first phase will end in the spring of 1940. Anti-aircraft has only guns from the last war. A German flyer is safe from English anti-aircraft fire at 6000 meters altitude. The navy will not be fully rearmed before one to two years (1 - 2 Jahren). I have the greatest experience in rearmament and I know the difficulties which must be overcome therein.

After 1914 France reduced the length of service. After 1914 decrease of military might. Only in some special branches are we inferior. Only the French navy was modernized. In the time after the war the French army deteriorated. There were no change until Germany rearmed and announced her demands.

In summary:

) The number of active organizations in Germany is greatest.
) Superiority of the Luftwaffe.
) Anti-aircraft beyond all competition.
) Tank corps.
) Large number of anti-tank guns, five times as many as 1914 machine guns.
) German artillery has great superiority because of the 10.5 gun.
) French superiority in howitzers and mortars does not exist.

Numerical superiority, but also the value of the individual soldier is greater than for the others. I am most deeply pained when I hear the opinion that the German army is not individually as valuable as it should be. The infantry in Poland did not accomplish what one should have expected from it. Lax discipline. I believe that the soldiers must be judged in their relative value in comparison with the opponent. There is no doubt that our armed forces are the best. Every German infantryman is better that the French. Not the exhiliration of patriotism but tough determination. I am told that the troops will only advance if the officers lead the way. In 1914 that was also the case. I am told that we were better trained then. In reality we were only better trained on the drill field, but not for the war. I must pay the present leadership the compliment that it is better than it was in 1914. Mention of the collapse while storming Leige. There was nothing like this in the campaign in Poland.

Five million Germans have been called to the colours. Of what importance are a few of them collapse. Daring in the army, navy and Luftwaffe. I cannot hear it when one says the army is not in good shape. Everything lies in the hands of the military leader. I can do anything with the German soldier if he is well led. We have succeeded with our small navy in clearing the North Sea of the British. Recognition of the small navy, especially the High Command of the Navy.

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We have a Luftwaffe which has succeeded in safeguarding the entire living space of the Germans.

The land army achieved outstanding things in Poland. Even in the West it was not shown that the German soldier is inferior to the French.

Revolution from within is impossible. We are superior to the enemy numerically in the West. Behind the Army stands the strongestarmaments industry of the world.

I am disturbed by the stronger and stronger appearance of the English. The English are a tough enemy. Above all on defence. There is no doubt that England will be very much represented in France at the latest in six to eight months.

We have an Achilles heel: The Ruhr. The progress of the war depends on the possession of the Ruhr. If England and France push through Belgium and Holland into the Ruhr, we shall be in the greatest danger. That could lead to the paralizing of the German power of resistance. Every hope of compromise is childish: Victory or defeat! The question is not the fate of a national-socialistic Germany, but who is to dominate Europe in the future. The question is worthy of the greatest efforts. Certainly England and France will assume the offensive against Germany when they are armed. England and France have means of pressure to bring Belgium and Holland to request English and French help. In Belgium and Holland the sympathies are all for France and England. Mention of the incident at Venlo: The Man who was shot was not an Englishman, but a Dutch General Staff officer. This was kept silent in the press. The Dutch government asked that the body of the Dutch officer be given up. This is one of their greatest stupidities. The Dutch press does not even mention the incident anymore. At a given time I shall use that to motivate my action. If the French army marches into Belgium in order to attack us, it will be too late for us. We must anticipate them. One more thing. U-boat. Mines, and Luftwaffe (also for mines) can strike England effectively, if we have a better starting point. Now a flight to England demands so much fuel that sufficient bomb loads cannot be carried. The invention of a new type mine is of greatest importance for the Navy. Aircraft will be the chief mine layers now. We shall sow the English coast with mines which cannot be cleared. This mine warfare with the Luftwaffe demands a different starting point. England cannot live without its imports. We can feed ourselves. The permanent sowing of mines on the English coasts will bring England to her knees. However, this can only occur if we have occupied Belgium and Holland. It is a difficult decision for me. None has ever achieved what I have achieved. My life is of no importance in all this. I have led the German people to a great height, even if the world does hate us now. I am putting this work on a gamble. I have to choose between victory or destruction. I choose victory. Greatest historical choice, to be compared with the decision of Friedrich the Great before the first Silesian war. Prussia owes its rise to the heroism of one man. Even there the closest advisers were disposed to capitulation. Everything depended on Friedrich the Great. Even the decisions of Bismarck in 1866 and 1870 were no less great. My decision is unchangeable. I shall attack France and England at the most favourable and quickest moment. Breach of the neutrality of Belgium and Holland is meaningless. No one will question that when we have won. We shall not bring about the breach of neutrality as idiotically as it was in 1914. If we do not break the neutrality, then England and France will. Without attack the war is not to be ended victoriously. I consider it as possible to end the war only by means of an attack. The question as to whether the attack will be successful no one can answer. Everything depends upon the favourable instant. The military conditions are favourable. A prerequisite however, is that the leadership must give an example of fanatical unity from above. There would not be any failures if the leaders always had the courage a rifleman must have.

Individual acknowledgements: The enemy must be beaten only by attack. Chances are different today than during the offensive of 1918. Numerically we can use more than 100 divisions. With respect to men, reserves can be supplied. The material situation is good. Moreover that which is not ready today must be ready tomorrow. The whole thing means the end of the World War, not just a single action. It concerns not just a single question but the existence or non-existence of the nation.

1629.

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I ask you to pass on the spirit of determination to the lower echelons.

1) The decision is irrevocable.
2) The only prospect for success, if the whole armed forces are determined.

The spirit of the great men of our history must hearten us all. Fate demands from us no more than from the great men of German history. As long as I live I shall think only of the victory of my people. I shall shrink from nothing and shall destroy everyone who is opposed to me. I have decided to live my life so that I can stand unashamed if I have to die. I want to destroy the enemy. Behind me stands the German people, whose morale can only grow worse. Only he who struggles with destiny can have a good intuition. In the last years I have experienced many examples of intuition. Even in the present development I see the prophecy.

If we come through this struggle victoriously - and we shall come through victoriously - our time will enter into the history of our people. I shall stand or fall in this struggle. I shall never survive the defeat of my people. No capitulation to the outside forces, no revolution from the interior forces.

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 789-PS

3 October 1945.

I, FRED NIEBERGALL, 2nd Lt Inf, 0-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 789-PS.

FRED NIEBERGALL
2nd Lt Inf.
0-1335567

H1171 - 0042

TRANSLATION OF DOCUMENT C-140
OFFICE OF US CHIEF OF COUNSEL

42

(SEC-24,7/C-140)

Only by Officer, to be passed by hand.

The Reich Minister for Defence
No.7/33 top secret War Ministry

Berlin, 25th October 1933

Top secret

To: Chief of Army High Command
Chief of Navy High Command
Reich Minister for Air

(several illegible notations)

1) The enclosed directive gives the basis for preparations of the Armed Forces in the case of sanctions being applied against Germany.

2) I request the Chiefs of the Army and Navy High Commands and the Reich Minister for Air to carry out the preparations in accordance with the following points:

(a) Strictest secrecy. It is of the utmost importance that no fact become known to the outside world from which preparation for resistance against sanctions can be inferred, or which is incompatible with Germany's existing obligations, in the sphere of foreign policy, regarding the demilitarized zone. If necessary, the preparations must take second place to this necessity.

Measures in the process of execution, designed to strengthen our long-range system of defense, are not affected by the attached directives.

(b) The circle of persons taking part in the preparations will be restricted, for the time being, to the War Ministry (Reichswehrministerium) and the Reich Ministry for Air. Insofar as the Chief of the Army High Command wishes to contact the Reich Minister of the Interior with regard to the Mobilised Police (Bereitschaftspolizei), this ruling should also be observed.

(c) I forbid all preparations of a practical nature until further notice.

3) I request early reports by the Chiefs of the Army and Navy High Commands and the Reich Minister for Air on the measures intended and on blockading, demolition, and evacuation. Reports [illegible] are also to be submitted to me on intentions regarding concrete measures of armament. I will subsequently decide on the participation of the National Defense Board (Landesverteidigungsrat) in further preparations.

I intend to call a meeting of individual agencies (Aussenstellen) of the Army and the Navy in the War Ministry the end of next week, for a discussion of the most important questions.

(signed) v. Blomberg.

CERTIFICATE OF TRANSLATION
OF DOCUMENT C-140

15 November 1945

I VIRGINIA VON SCHON, 046318 hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document C-140.

VIRGINIA VON SCHON
046318.

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TRANSLATION OF DOCUMENT C-140
OFFICE OF U S CHIEF OF COUNSEL.

43

(SEC-24.7/C-140)

To A I op 26/35. (in pencil)

Appendix to "The Reich-Minister for Defence No. 7/33 secret Reich Ministry of Defence.

Berlin, 25.10.1935.
Secret 114.

Directive
for the Armed Forces
in case of Sanctions.

Weisung
für die Wehrmacht
im Falle von Sanktionen.

1.) The further development of the international situation created by Germany's giving notice of leaving the League of Nations and the Disarmament Conference, can lead to the application of sanction measures against Germany.

It is not known which states will take steps towards sanctions. As long as the Council of the League of Nations does not decide upon joint action, France should first of all be considered. But France can induce Poland, Belgium and Czechoslovakia also to apply sanctions.

2.) The sanctions of the opponents can be of various natures.

The Armed Forces will be immediately and directly affected by such measures as entail a violation of German territory, particularly therefore, if the enemy's forces break into, fly over or shell German land areas. The same applies at sea to the 3-miles zone (pencil margin-note - mine-laying) also in case of enemy measures against German naval force in case of the capture or sinking of German merchant ships, in case of the blockade of the German coast as well as in case of attack on German coastal fortifications or places.

First of all an occupation of German territory is to be reckoned with.

3.) The Government of the Reich is determined to reply to all enemy actions as described under figure 2, with a local armed resistance, without regard to the chances of military success. (for restrictions see figure 5. a) to c)). (Pencil margin note: Resistance).

This resistance will be made only by the Army, Navy and Air Force and the other forces, which have been expressly described as components of and which are under orders of the Armed Forces. These other forces must comply with the conditions of Article 1.) of the Appendix to the Treaty regarding the laws and usages of land warfare of 18.10.1907.

4.) In order to carry out armed resistance, the following emergency, and defensive measures of the Army, the Navy and the Air Force, are visualized:

a). Systematic formation of the A-Army (A-Heeres). The whole Provincial and/or Emergency Police Force of the states (Länder) is, as a fighting body, at the disposal of the Chief of the Army High Command and under his orders. Defence-District-Command I (Wehrkr.Kdo.I) has at its disposal the East Prussian Provincial Police Force.

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TRANSLATION OF DOCUMENT C-140.
(cont'd)

b). Systematic formation of the V-Navy(V-Marine) and its further reinforcement as material and personnel possibilities permit.

c). Systematic formation of the A-Air Force (A-Luftwaffe) including the passive air defence of the Reich.

The air-forces planned for co-operation with the Army and the Navy, as soon as ready, will be placed under the orders of the Commander in Chief of the Army or Navy.

The field passive air defence troops (Feldluftschutz-truppen) planned for the army will be available at first for the passive air defence of the Reich. I reserve for myself the time of placing them under the orders of the Chief of the Army Command.

5.) The following tasks of the armed resistance to be offered are to be envisaged first.

a). On land:

The ensuring of the positioning of the A-Army against France-Belgium, against Poland and Czechoslovakia together with the Frontier Guards (the reinforced Frontier Guard - Survey Service included) and the Provincial and/or Emergency Police Forces. In the West the line Rhein-Rhine and the Black Forest, in the East of the Reich the position Hetzenplotz-Oder-Nischlitz-Obra and Pomerania must be held as long as possible. In the struggle against Czechoslovakia ground may be given only yard by yard. As far as East Prussia is concerned the present regulations remain in force.

A concentration of forces of the army in the demilitarised zone or their entry into the same requires my consent.

b). At sea:

Protection of commerce in the North and Baltic seas. Securing of communication with East Prussia.

Defence against enemy attacks launched from the sea and from the air against the German Coast.

I reserve for myself the approval of all enterprises which have not the character of armed resistance (pencil note: see para 2) such as attacks against Gdingen, mining operations which exceed local or tactical purposes, as well as of counter-measures against an enemy blockade (marginal note in pencil; as long as the blockade has nothing to do with para.2 or 3) and the opening of warfare against merchant and naval shipping.

c). in the Air:

Defence of the air over Berlin and over the industrial part of central Germany, with Berlin as the centre of gravity.

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TRANSLATION OF DOCUMENT C-140.
(cont'd)

The employment of Bombers remains reserved.

I reserve for myself the approval of declaration of restricted areas for civil aviation.

signed, Blomberg.

CERTIFICATE OF TRANSLATION
OF DOCUMENT No. C-140.

I, KENNETH DUNL, Major, R.A., 10990, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. C-140.

KENNETH DUNL,
Major, R.A.,
10990.

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TRANSLATION OF DOCUMENT C-153
OFFICE OF U S CHIEF OF COUNSEL

46

The Chief of the Naval Command Staff (Marineleitung)

Reg. No. A I st 1000/34 Gkdos — Berlin, 12 May 1934.

Top Secret — Copy No: 3

Armament plan (A.P.) for the 3rd. Armament Phase

I. General Preliminary Observations.

1.) The war tasks, within the framework of the defence of the Reich, indicated to the Navy by the Reich Minister of Defence, form the basis for all military considerations and decisions.

2.) The war and operational plans resultant from the war tasks provide the direction for a clearly defined armaments target.

3.) The planned organisation of armament measures is necessary for the realisation of the target; this again requires a co-ordinated and planned expenditure in peace time. This organisation of financial measures over a number of years according to the military viewpoint is found in the Armament Programme and provides

a) for the military leaders a sound basis for their operational considerations

and

b) for the political leaders a clear picture of what may be achieved with the military means available at a given time.

4.) The A-Plan should accordingly be the directing factor in the composition of the annual budget.

5.) Owing to the speed of military political development since Germany quitted Geneva and based on the progress of the army, the new A-Plan will only be drawn up for a period of 2 years. The 3rd A phase lasts accordingly from 1.4.34 to 31.3.36.

6.) The 3rd A-Phase emphasizes reorganization. The expenditure becoming necessary owing to increases in strength of the correspondingly increased training activity lessens the amount available for purely A objects. In the meantime discomforts of all kinds (smaller barrack space and the forgoing of some amenities for instance) will have to be accepted in order to enable the existing gaps in our armaments to be filled as far as possible. By the skilled apportioning and exploitation of arms and equipment available and under issue, expenditure on costly training equipment must be kept within limits commensurate with the progress of the armament programme.

7.) All theoretical and practical A-preparations are to be drawn up with a primary view to readiness for a war without any alert period. Measures which require for their execution and completion a longer period than is envisaged in the "A" plan + are temporarily withdrawn.

II. Financial Basis.

1.) The following assumptions will form the basis for the preparations of the A.P.

Budget 34 amounting to 396.-
Budget 35 " " 434.- 830 Mill. R.M.

For current peacetime expenditure including Personnel

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1934	171.-		
1935	190.-	361	Mill. R.M.
Blance available for armament purposes of which for ship replacement construction		469	" "
1934	148.-		
1935	175.-	323	" "
Balance for other Armaments		146	" "

(s. Table in Appendix D)

2.) The budget resources detailed in para II, 1 include all sources available for naval purposes (public budget, conversion budget, B budget, labour programme etc.)

III. Armaments - Target (A-Target) for the 3rd A-phase (until 1.A.36) +

1.) General .....

2.) In Detail .....

IV. Organisation of the A.P.

1.) The material organisation in the new A.P. is arranged according to the following groups.

I	=	New construction
II	=	Air Defence (without munitions)
III	=	Improvement on ships (Ship = incl. engine construction
IV	=	" " " (Armaments)
V	=	Artillery - Munitions and Stores
VI	=	Artillery measures
VII	=	Torpedo "
VIII	=	Barrage "
IX	=	Signals "
X	=	Bases incl. Dock and Arsenal
XI	=	'J-' preparations (Supply)
XII	=	Training
XIII	=	Accomodation and Clothing

+++ .....

V. Order of Priority.....

VI. Execution of the R.P.....

RAEDER

+ T's Note: 'A' in original not R (Ruestung) Plan, as elsewhere.
++ Translator's Note: From III headings only have been given.
+++ Translator's Note: Details of Appendices follow.

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Distribution:

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- -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. C-153

11 November 1945.

I, GERARD SCHAEFER, 2nd Lt. 01332102, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document No. C-153.

GERARD SCHAEFER
2nd Lt, 01332102

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TC 44.

NOTE ON THE EXISTENCE OF A GERMAN AIR FORCE, MARCH 9th, 1935.

ENCLOSURE IN NO. 107.

Group-Captain Don to Sir E. Phipps.

The Ambassador,

I WAS asked to go to the Reichsluftfahrtministerium this morning to speak to Flieger-Kommodore Wenninger. He had mentioned last Monday at the reception at the Japanese Embassy that he had something to tell me, and would telephone to make an appointment on Wednesday or Thursday; so it is quite evident that what he has this morning communicated to me was the result of a decision made before the cancellation of Sir John Simon's visit, and that it had been intended to speak to me before the latter's arrival.

He told me that there are certain developments which he wished to communicate to the British air attache, and subsequently this morning and on Monday to the other service air attaches, so that they should not hear of them for the first time when they became generally known. He used the word "Soldaten" air attaches, from which it occurred to me that possible he is not going to include M. Poincare the French air attache, who is a civilian. In this I may be mistaken, but more than once he laid stress on the fact that he was anxious that I should understand that he was talking as one officer to another. He informed me that he had recieved the approval of the Reichswehrministerium and of the Ministry of Foreign Affairs for what he was about to say.

He then told me that the Chancellor has given the order that, as from the 1st March, those who are destined to belong to the future German air force shall change their rank titles, and shall assume the shoulder-straps which indicate their status as regular Reichswehr personnel. A new design of wing (an eagle) incorporating the "Haken-Kreuz," has also been adoped. Flieger-Kommodore Wenninger, for instance, now becomes Oberst Wenninger, with aluminium braid shoulder-straps and two stars; the recently-coined title Flieger Vice-Chef now becomes General-Leutnant. I gathered that the prefix "Flieger" may be used in correspondence, but that, in conversation, the army rank titles will be used.

Oberst Wenninger, as he now is, showed me the changes on his own uniform, and explained that the new order applies to members of the Deutsche Verkehrs-fliegerschule (D.V.S.). As you will remember, this formation, with its blue uniform and yellow badges, has for long been looked upon by us as the foundation of Germany's air force.

I was further informed that the Deutsche Luftsportverband (D.L.V.) would retain its civilian status as the "sports flying" body, and I gathered that its members would retain their present non-regular titles, with Flieger-Kommander as the highest title attainable, except that Herr Loerzer, their present leader, will be permitted to retain the higher title of "Flieger-Kommodore". As you probably know, we have long been of the opinion that the D.L.V. with its large membership (blue uniform with blue badges) will be the non-regular formation which will train reserve pilots and keep the nation "air minded", and be in position to supply auxiliary squardrons on mobilisation.

The information, therefore, which I have received substantially confirms what we have already had good reason to believe regarding the D.V.S. and D.L.V.

Oberst Wenninger impressed upon me that he had not sent for me to inform me that a German air force actually exists; formally speaking, it does not, and such an announcement must await political developments. On the other hand, preparations are in progress, including certain training schools. Of these he gave me the names of six, which he invites me to visit. I did not commit myself as to whether or not I shall take advantage of his offer. He added that he and his brother officers were only too anxious that the political situation should be cleared up so as to enable the veil of secrecy to be lifted. Meanwhile, he regretted that full details regarding future establishments and organisation are not yet available.

March 9, 1935.

F.P. DON, Air Attache.

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PARTIAL TRANSLATION OF DOCUMENT NO. 2288-P
OFFICE OF U. S. CHIEF OF COUNSEL

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Excerpts from Hitler's Speech before the Reichstag on 22 May, 1935. (Volkischer Beabachter, Southern Germany Special Edition No. 142 a. of 22 May 1935, pages 1, 3, 4.)

Page 1. (Title:) Adolf Hitler's Great Speech before the Reichstag.

Berlin, 21 May 1935

Deputies! Members of the German Reichstag!

Page 3, column 5 & 6 bottom: Leaving these general conclusions now and arriving at a precise Fixation of the present current problems for me the

Position of the German Reich Government results as follows:

1. The German Reich Government refuses to adhere to the Geneva Resolutions of 17 March.

The treaty of Versailles was not broken by Germany uniliterally, but the well known paragraphs of the dictate of Versailles were violated and consequently invalidated by those Powers who could not make up their mind to follow the disarmement requested of Germany with their own disarmement as agreed upon by treaty.

2. Because the other powers did not live up to their obligations under the disarmement program, the Government of the German Reich no longer considers itself bound to those articles which are nothing but a discrimination of the German Nation for an unlimited period of time, since thru them Germany is being nailed down in a unilitaral manner, contrary to the spirit of the agreement.

But It solemnly declares that this measure is being taken only with regard to those well known paragraphs which are discriminating against the German People in a moral and factual way.

Therefore, the Government of the German Reich shall absolutely respect all other articles pertaining to the cooperation (zusammenleben) of the various nations including territorial agreements; revisions which will be unavoidable as time goes by it will carry out by way of a friendly understanding only.

3. The Government of the German Reich has the intention not to sign any treaty which it believes not to be able to fulfil. However, it will live up to every treaty signed voluntarily even if it was composed before this Government took over. Therefore, it will in particular adhere to all the aligations under the Locarno pact as long as the other partners of the pact also adhere to it.

The Government of the German Reich regards the fact that it has to respect the demilitarized zone, as an extremely difficult contribution by a soverign power, to the pacification, and it believes to be compelled to call attention to the fact that the constant increase in the number of troops on the other side may hot just be regarded to be of great comfort to these efforts.

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19 November, 1945

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2288-PS

I, Goetz Mayer, T/5, 33812169, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of the indicated excerpt of Document No. 2288PS

Goetz Mayer
T/5, 33812169

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TRANSLATION OF EXTRACTS OF DOCUMENT 2353-PS
OFFICE OF U S CHIEF OF COUNSEL

BASIC FACTS

FOR A

HISTORY OF GERMAN

WAR AND ARMAMENTS ECONOMY

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IV

The influence of central organization on development and activities of the war economy organization

Centralization of the Supreme Reich authorities, ordered in case of war, has influenced the development and the activities of the war economy organization to such an extent, that it is necessary to discuss this matter in detail.

The foundations had already been laid for the central organization of the Supreme Reich authorities in the event of a war, prior to 1933 in many discussions and decrees, but it was radically altered when the national socialists came into power and especially by the decease of Reichpresident von Hindenburg. The latest orders were decreed in the Reich Defense law of May 21, 1935, supposed to be published only in case of war, but already declared valid for carrying out war preparations. As this law (see Appendix IV, 1) fixed the duties of the Armed Forces and the other Reich authorities in case of war, it was also the fundamental ruling for the development and activity of the war economy organization.

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XV

War and Armament Economic Measures from entry into Austria (1938 till mobilization (1939)

The discussion between the Führer and the Austrian Chancellor of State Schuschnigg on February 12, led to the military-political measures against Austria, which concluded with the entry into Austria on March 13. This action against Austria, disguised under the code name "Action Otto" prepared in a short time, has resulted in a wealth of experience of utmost importance, for the preparation of mobilization and especially for the economic preparations, and has in the course of the year led to changes in the regulations regarding mobilization.

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The action was prepared and started without the cooperation of the WStb. The result was, that the military measures created great confusion in the economic sphere leading to unpleasant conditions for the army and also for the economy for the time being.

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The experience gained during the action in Austria caused the OKW to issue new regulations, preparing the separating of the mobilization of the Armed Forces from the mobilization of the civilian elements. Mobilization of the Armed Forces without public announcement (X-case) was prepared, nevertheless there should be the possibility of proceeding at any time from the mobilization of the Armed Forces only, to a general mobilization of State, Nation and Economy. The basic idea is, that all actions and regulations in case-X are based on Civil law, a state of defense has not been declared and martial law has not been proclaimed. The appropriate measures were ordered on July 5 by the OKW. WStb and GBW expressed justifiable misgivings regarding these new regulations, as mobilization of the Armed Forces before mobilization of economy would create

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TRANSLATION OF EXTRACTS OF DOCUMENT 2353-PS
(cont.)

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Pages 181 - 184 XVIII

Execution of the economic mobilization

Before discussing the actual process of the economic mobilization I regard it as my duty, to give my opinion on the possibility of successful warfare as regards war economy, from my experience as Chief of the WStb gained during August 1939. During this time many conferences were held with the then Generaloberst Keitel discussing our readiness for war and conditions in regard to armaments as compared with that of the prospective enemy states. During all these discussions I maintained the point of view, that a war with Poland would present no problem for us, but that for a great world war of long duration, our economic structure would be too weak and that, in the case of a world war, decisive measures, conforming to a total war, would have to be carried out immediately. These objections and the resulting demands were nevertheless ignored.

The process of German mobilization in 1939 was most intensively influenced by the progress of the military-political situation and was carried out with the idea of surprising the enemy, at the right moment. The experience gained during the operations against Austria, Sudetenland and Czechoslovakia, which led to separate and camouflaged mobilization, formed the basis for the measures to be taken. The tension, existing between Germany and Poland since July, was used to take all the measures, necessary for a surprise attack on Poland. Some of these preparations as far as war economy was concerned were the acceleration of the delivery of armaments, which in particular was carried out by the branches of the Armed Forces and, for the organization of War-economy, the forming of war economy units to be attached to the attacking armies.

After August 1, the formation and distribution of VO of WStb tookk place, they were attached to the AOK; on August 24, formation of war economy units for the attacking armies.concerned. On August 25, orders for the camouflaged mobilization were released, with Aug. 26, ordered as the first X-day. (see Appendix XVIII, 1 and Appendix XVIII, 2). In this manner the form of mobilization was ordered, which represented the most unfavorable form for the mobilization of war economy. Reiterated objections against divided mobilization, submitted by WStb as late as August 24, were overidden by the Chief of OKW, while the Supreme Command was of the opinion, that a war with Poland did not necessitate a General mobilization, and any other form of mobilization was out of question for political reasons.

On August 25 18.30 a copy of case X was remitted to the inspectorates of War economy (copy, see Appendix XVIII, 3).

The decree of August 25 orders expressly that case X shall not be extended in its entirety to civilian matters. Even though it was ordered that future proposed mob measures must not be endangered by unplanned demands, requisitions and commandeerings, there was still considerable danger in the mobilization being divided and carried out at different times. This was especially applicable as far as economy was concerned insofar as regulations for economy read that with the utmost consideration of economy in general only the most important war factories should be maintained at their former level and that only isolated war factories should be immediately speeded up to produce a large output. These regulations, in consideration of the Economic Policy which was to oppose every unnecessary change, and also of the kind of propaganda adopted were bound to endanger the planned process of economic mobilization.

The preparations, covering many years of work, for the mobilization of Economy were consequently, for the most part, invalid. This regulation was unfortunately to become an inconvenience later on when starting up the Armaments Industry and the economy of war and was even noticeable for the

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Pages 181 - 184 (cont.)

first four years of the war up to the declaration of total war in 1943. A large number of the measures, contained in the preparation for mobilization of the WStb and invalidated by the above regulation, were not executed until 1943 as a result of demands by the Reichminister for Armaments and ammunition.

On August 27, 1939, the regulation on the administration of economy was issued, whereby the Oberpräsidenten were charged with executing and directing all economic measures of the GBW. Included in this was the official founding of the District Economy offices, the Provincial Food offices (Landesernährungsämter), Offices of forestry and economy of timber (Holzwirtschaftsämter) forming finally the organization, that should have been in force long ago as a result of the mobilization order by GBW.

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B. War Economy

The year 1940 was the first acid test for the value and necessity of the War Economy organization. After it had proved its value at home by the measures taken to strengthen the war economy of Germany especially in reestablishing the German war industry and reconstructing the armament industry and had earned the constant appreciation of Field marshal Goering, and the Reichminister for War, it now remained to prove that the organisation was also able to support the combat troops, to administer the economy of occupied countries and put it into operation again, and that there was an absolute necessity for such an organization in the present war. That this point of view is correct, is proved by the fact, that all allied- as well as enemy states constructed similar organizations, imitating the German pattern.

The operations against Denmark and Norway and the western campaign against Holland, Belgium and France brought full proof; the year 1942 has more than confirmed this point of view.

1. War Economy Measures during the occupation of Denmark and Norway

The occupation of Denmark and Norway brought for the German War Economy organization a gratifying and manifold task. The office Wi Rü was informed of the planned execution of these operations at the end of February, and thereupon ordered the preparation of the measures to be taken as regards war economy. It was decided, that a small staff under the direction of Major Neef (Group leader in the dept. of raw materials Wi Rü) should carry out the appropriate, preliminary preparations, for the organization which were to be carried out in accordance with the directives of OKW-WFA and the Oberquartiermeister of group XXI charged with the operational preparations. Commander in chief of Group XXI was von Falkenhorst, General in the infantry; Colonel of General staff Buentsch, Oberquartiermeister. The war economy specialists, coordinated under Major Neef, were assimilated into the staff of group XXI on March 20, under the title "Group War Economy" and VO of OKW/Wi Rü office.

The first performance of the group was the compilation of material on the economic structure of Denmark and Norway, Then it worked on the war economy and armament part of the "Demands of OKW to the political plenipotentiaries of the Führer in the Danish and Norwegian Governments", and the economic measures in the "Special instructions on conduct during occupation of Denmark and Norway".

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Furthermore, special tasks were given to the war economy officers concerned and their first duties defined as follows:

a). Support of the military commanders in the utilization of the economy of the country in the interest of the armed forces;

b). Identification and safeguarding of supplies against unauthorized seizure or transport;

c). Starting or restarting of production plants;

any further war economy and armament tasks should be undertaken only by special order of OKW.

The working staff was able, during the four weeks available, to compile detailed material, providing the respective war economy departments with valuable material for their duties. All necessary orders, directives and so forth were issued in a special calendar in order of mobilization (mobmässig).

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On April 2 it was decided to select April 9 as the day on which the operation should be carried out.

The execution of the operation was on the whole carried out according to plan. Provision was made that the WO should reach their posts together with their respective staffs, namely, Major Neef by air, the WO Esbjerg and Aaarhus over-land, the remaining gentlemen in the warships in which the staffs were transported, while all WO, though partly under heavy fighting, reached their objective on April 5, Major Neef was not able to reach Oslo until April 12, because of the opposition near Oslo.

The unified War Economy Organisation which had been prepared for Norway and Denmark depended upon the regulation that the Senior Command for special missions XXXI in Denmark war subordinate to group XXI in Norway. When it soon became evident that this arrangement did not work because of distances and because of the conflicting behavior of the Norwegian and Danish governments, it was decided on April 10 to make the Senior Command for Denmark directly subordinate to the Commander in Chief of the Army, while group XXI together with the forces operating in Norway was to remain Subordinate to the OKW. As a result of this change it also became necessary to divide the, War Economy organization. The War Economy Liaison Office Denmark was placed under the supervision of the administrator of Danish economy, on the staff of the political plenipotentiary of the Führer in Copenhagen; the organization Norway under Major Neef remained attached to group XXI.

In Norway as well as in Denmark the assignment of War Economy Offices to the military detachments has proved successful. The War Economy Offices were burdened with so many problems that their small staff barely sufficed; they were very quickly maids of all work.

As soon as the offices were well established in their new districts and the most important military problems had been settled, they quickly attended to the construction of the War Economy Organization.

In Norway for the first few days after the occupation, the German Ambassador Dr. Bräuer , remained the political plenipotentiary of the Führer. As Foreign Office commissioner, dealing with economic problems, Min. Direktor Sarnow of the Reich Wi. M. was attached to him. Major Neef immediately tried to secure a definition of the fields of work. However,

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when this did not meet with any success, for the sake of the work, he arranged with Min. Dir. Sarnow that the office of WO Norway as should be incorporated into the Staff of the commissioner dealing with economic problems, as Main Division II. This measure, however, was never carried out, because both Dr. Brüer and Min. Dir. Sarnow were recalled on April 22 and the Gauleiter of the NSDAP Terboven was named by the Führer as Reichcommissioner of the occupied Norwegian territories. All attempts by Major Neef to clarify the status and spheres of activity with the 2nd in Command of the Reich Commissar Gauwirtschaftsberater Otte, were for the time being unsuccessful. On April 27 the former Liaison Office was changed to the War Economy Staff Norway. The WO as a branch office was subordinate to the latter.

In Denmark, Commander Dr. Forstmann quickly succeeded in coming to an understanding with the German Ambassador von Renthe - Fink and his commercial attaché Dr. Krüger in regard to the spheres of activity. On May 27 the office was renamed "War Economy Staff Denmark."

The details concerning the establishing of the War Economy offices, their growth, and their manifold tasks have been thoroughly described in the accounts of the WStb Denmark and Norway. Hence, within the scope of this report the details will not come under discussion. In short attention should only be drawn to the tasks as a whole, and the most important experiences during this first large-scale operation of the War Economy Organization.

The problems which faced the war economy officers during the occupation of Denmark and Norway were very extensive and embraced both military as well as economic problems in all fields of economy. The military leaders were glad that officers trained in war economy were at their disposal, who were qualified to solve questions of an economic-organizational character and, as authorities, could negotiate with Danish and Norwegian Officials. At this moment the manner in which the War Economy Organization had been formed, proved its worth in that there was personnel trained in military as well as industrial and commercial fields. Thus it happened that problems were entrusted to the WO which really lay beyond the scope of their activities. The following may be named:

Supplying troops with food,
Motor vehicles and fuel,

Procuring billetting possibilities for the troops,

Securing money and regulating the currency problem,

Procuring material (cement, wood, etc.),

Providing coal,

Regulating transportation,

Loading troops onto ships,

Procuring raw materials and finished products,

Putting the fishing industry into operation,

Rationing food for the armed forces and the civilian population,

Rationing of fuel,

Cooperating with the sailings of ships putting in and out,

Administering the loading of ships,

Checking over claims for compensation for war damage and requisitions,

Utilization of fish garbage and the manufacture of fish flour,

Price regulations for the purchase and renting of of real estate for the armed forces,

The loaning of horses and seed for agriculture,

These and similar problems had to be taken over by the WO, because the competent offices of the Armed Forces Departments were not there or were not in the position to solve these problems.

Only after these problems had been solved, was it possible for the WO to cope with the real problems affecting war economy, which dealt immediately with the seizing and securing of the most important agricultural supplies and the reestablishing of the means of subsistence.

Then the problems in Denmark and Norway shaped themselves in different ways as a result of the war situation (see appendix XX, 6). As early as June 15 the order could be issued regarding Denmark that the country be treated as being in the domestic theatre of operations; and therefore it was possible to quickly begin to make full use of the Danish defense and armament industry. The exploitation of the armament industry in Norway could only follow at a slower pace and at a later period, because it was regarded as being enemy territory. The utilization of the Danish and Norwegian economy followed within the framework of the "Proposals by the armed forces for the regulating of the general questions in regard to war and armament economy." (see appendix XX, 7).

Very soon it was necessary for the Wi Rü department and the War Economy offices in Denmark and Norway to take sharp measures in order to avoid duplication of work and the overlapping of the WT in Danish and Norwegian concerns. Above all, it was important for the sake of currency stabilization to keep a firm hand over the buyers of the WT, because they were causing danger to the currencies of the countries by flooding them with fiduciary monetary tender. It very soon became finally necessary to adopt measures to make the raw material available for those orders placed with Denmark and Norway, because, in part, the raw materials needed for the purpose of filling these orders were not to be had there.

In order to hasten the process of getting Norwegian industry into operation again, the Wi Rü Amt. sent German industrial and economic personnel to Norway, who, as middle-men, were to quickly establish confidential relationships and who on account of their expert knowledge were to accelerate the revival of Norwegian Economy.

The experiences of the first months of the occupation show that it is absolutely necessary to provide units operating independently with War Economy Offices, since in a modern war economic problems are submitted to the commanders which can only be solved by trained personnel. It is self evident that, later on, a major portion of the problems must be transferred to the civilian Economic departments, which will be set up, and that the soldier confines himself to the solution of economic problems that serve the troops, as long as no solution is found, as later proved to be the case in the Netherlands.

The staffing of the WO for Denmark and Norway was in most cases too small, because the problems were too complex and the fields of operation

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allotted to them were too large.

Yet it is an established fact that the War Economy Offices, in Denmark and Norway especially, rendered invaluable services to the troops during the first months and that an organization for the reopening of industrial operations and to carry out the commissions of the WT was an absolute necessity.

Moreover, the outstanding work of the War Economy offices in Denmark and Norway was the main reason for the fact that, in 1941, it was possible to carry out, according to plan, the enormous work for the defense of the country, which was required of the Economies of Denmark and Norway by the Supreme Command.

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2. Campaign in the West

The operations against France, Holland and Belgium brought about the first real use of the war economy organization in enemy territory. It was accomplished in close cooperation with General Qu. of the Army.

At the start of the war, the Armed Forces operating in the West were, by reason of the experience gained during the campaign in Poland, supplied with Army Economic Officers (Armeewirtschaftsführer)](A. Wi. Fü)* who simultaneously were the liaison with the armament offices in the border territory.

The primary duties of the A Wi Fü attached to the Western armies were the tasks of economic evacuation and immobilization and only at the end of 1939 did the preparations for the entry into Holland, Belgium and France come to the foreground. The process of economic evacuation in the homeland rested mainly with the competent Rü commandos of the homeland, who had arranged the necessary preparations by way of mobilization, in accordance with the clearance measures already/during peacetime.
prepared

Especially in the Saar territory the VO had a complicated task to perform, and was able to demonstrate the value of its existance for defense also.

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Negotiations with friendly and neutral states
on war economy and also delivery of war material.

The year 1940 brought special problems for the office of Wi Rü as far as trade in war material was concerned as a result of the deliveries, necessitated by the military political situation, to Russia, Finland, Roumania and Italy.

As previously reported in 1939, according to the German-Russo treaty of August 19, 1939, the German deliveries on credit were to attain in the next two years the sum of 200 millions RM, 120 millions RM, thereof during the first year. It was indicated that German deliveries of material to the value of 500 millions RM were desired during the first year alone. As such quantities of machines, vehicles, apparati etc.

* Their designation first was VO of OKW/Wi Rü office, later changed to Army-Economy Officers.

could not be obtained from the production point of view in such a short time, and as the Russians had also included war material in their request, the preponderant desire, from the beginning, at the Foreign office and the Reichsministry of economy was, to put at the disposal of the Russians as much finished war material as possible.

As reported previously, the Russians had made ready for their first reciprocal delivery valuable foods and raw material (1 million tons cereals, 500000 tons wheat, 900000 tons of oil by-products, 100000 tons of cotton, 500000 tons phosphates, 80 millions RM of timber, 10000 tons of flax, manganese, platinum and the transit for 1 million tons of Soyabeans), and in consideration of the importance of these quantities to the German war economy and the importance which the Supreme Command attached to the maintaining of pleasant relations with Soviet Russia, the question of immediate reciprocal deliveries became steadily more pressing.

The desire to produce war material became stronger from week to week, so strong that OKW created a special Referat at Wi Rü charged with working on the Russian demands and arranging them in accordance with the German production program. Appendix XX, 21 and XX, 22 gives an idea of the progress of the arrangements.

As the Russians delivered quickly and well, it was imperative to accelerate German deliveries. Consequently the German High Command decided, to offer the Russians even more war material, that was already manufactured or under construction, and whose monetary value was great. The great cruiser Lützow especially came into this category other ordnance installations for chips, patterns for heavy artillery and tanks and important patents (lizenzen) for war material. As these contracts for this material did not satisfy the Russian requests, the Führer ordered, on March 30, that - as far as necessary - the delivery of war material to the Russians should have priority over the delivery to the German Armed Forces.

This order put some of the Army departments in a difficult position, as the High command also wanted production for the German requirements stepped up and demanded punctual delivery.

On August 14, the Chief of Wi Rü, during a conference with Reichmarshal Goering, was informed, that the Führer desired punctual delivery to the Russians only till spring 1941. Later on we would have no further interest in completely satisfying the Russian demands. This allusion moved the Chief of Wi Rü to give priority to matters concerning Russian War Economy.

By the end of October 1940, Reichmarshal Goering insisted once more, on pressure being exerted for accelerated deliveries to the Russians according to plan. (file notice from Oct. 5, see Appendix XX, 23).

Later on the urgency of the Russian deliveries diminished, as preparations for the campaign in the East were already under way.

The Russians carried out their deliveries as planned, right up to the start of the attack; even during the last few days, transports of India-rubber from the Far East were completed by Express transit trains.

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The production program ordered by decree of the Führer on Aug. 20, and instituted by reason of urgency, on Sept. 20, was stepped up again

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on Sept. 27, and amended insofar as the equipment under the code word "Achse" (African campaign) was to be given priority over all other equipment, including the ones in the special category.

As both the Army and Minister Todt were urging the high priority of the Panzer - and Achse-program, the Navy demanded its "Seelöwe" - measures accelerated and aerial armaments were being even more intensified, the Chief of Wi Rü office, at a conference of Chiefs of departments, presided over by Fieldmarshal Keitel, pointed to the difficulties of accelerating everthing at the same time, with the bad situation as regards manpower. He demanded once more a clarification of the organization, which was really the most important thing. Resulting from this the following decision was made by the WFSt on Dec. 3.40, enclosed as Appendix XX, 35.

This decision affected future measures as follows:

1). there is no longer any mention of an Invasion of England but only of a siege of England,

2). aerial defence of the homeland was placed at the top of the list for the first time.

3). the prospective big action (Russia) mentioned for the first time, and its postponement to some later date admitted as possible.

Shortly before, - on Nov. 6, 1940 - Reichmarshal Goering, for the first time made a statement to the effect, that we should prepare ourselves for a long war, and therefore planning of raw material should be considered in this perspective. (see file on Report at Beauvais on Nov. 6.40, Appendix XX, 36).

At the beginning of December, instructions were received, that for the time being there was no question of an Invasion of England, and that the "Seelöwe"-preparations should merely be concluded.

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War Economy

The year 1941 was, as far as war economy was concerned, mostly dominated by the preparations, respectively the execution of the action in the Balkans, the war in the East and the war in Africa.

The respective preparations go back to the year 1940. The development of the Italo-Albanian - Greece war, the establishing of a German military mission in Roumania and the possibility of German participation in the Italian war in Africa had led as early as August 1940 to a War Economy Staff Roumania and in October a War Economy Staff Africa being created by the office of Wi Rü, to deal with the problems connected with these Theatres of war and charged with working out all the questions appertaining thereto. By the middle of November, 1940 Colonel Gen. staff Spalcke was delegated to Roumania as member of the German military mission, and charged with the representation for war economy in the Balkan countries and in Africa and the completion of the necessary basis as regards war economy for an operation were intensively processed in the office of the Wi.Rü.

In November 1940, the Chief of Wi Rü together with Secretaries of state Körner, Neumann, Backe and General von Hanneken were informed by the Reichmarshal of the action planned in the East.

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By reason of these directives the preliminary preparations for the action in the East were commenced by the office of Wi Rü at the end of 1940.

The preliminary preparations for the action in the East included first ofall the following tasks:

1). Obtaining of a detailed survey of the Russian Armament industry, its location, its capacity and its associate industries.

2). Investigation of the capacity of the different big armament centers and their dependency one on the other.

3). Determine the power - and transport system for the industry of the Soviet Union.

4). Investigation of sources of raw materials and Petroleum (crude oil).

5). Preparation of a survey of industries other than armament industries in the Soviet Union.

These points were concentrated in one big compilation

"War Economy of the Soviet Union" and illustrated with detailed maps etc.

Furthermore a card index was made, containing all the important factories in Soviet-Russia, and a lexicon of economy in the German-Russian language for the use of the German War Economy Organization.

For the processing of these problems a task staff, Russia, was created, first in charge of Lieutenant Colonel Luther and later on in charge of Brigadier General Schuberth. The work was carried out according to the directives from the Chief of the Office resp. the group of depts. for foreign territories (Ausland) with the cooperation of all departments, economy offices and any other persons, possessing information on Russia. Through these intensive preparative activities an excellent collection of material was made, which proved of the utmost value later on for carrying out the operations and for administering the territory.

Simultaneously detailed investigations were made of the situation as regards fuel and rubber in the case of a major action in the East, on the basis of the demands made by the Chief of General Staff of the Armed Forces and the Gen. Qu. of the Airforce, which will be discussed later on.

Included in the processing of the Russian problem were matters of war economic nature connected with the Balkans and Africa.

Balkans

While the preparations for the Russian Campaign could be completed as planned, the measures for the action in the Balkans had to be improvisioned on account of the unsuccessful revolutionary outbreak in Yugoslavia. Only Colonel Wendt, as VO was sent to AOK-12 in Roumania at the begin of January as planned, and given charge of T. B. 13. The preparations were arranged for an entry into Greece only. When the revolt in Yugoslavia started, the preparations had to be altered. Department IV of VO AOK-12 was divided, the one half under Colonel Wendt to follow the assault of AOK-12, direction Belgrad, the other half under Captain v. Illberg to accompany the forces attacking towards

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Greece. Half a battalion each of T.B. 13 was put at the disposal of Colonel Wendt and Capt. v. Illberg, respectively.

With the arrival of the second army Col. Foch was installed VO in charge of T. B. 6 and 8. Furthermore he had specialists at his disposal, familiar with the economy of Yugoslavia and Greece. Dr. Pook of the Wi Rü Office was dispatched to manage copper mines at Bor.

Details of operations and results of the war economy units during the action in the Balkans; see report of OKW (Wi Rü Bureau) No. 27438/41 secret, of June 4, 1941, Appendix XXI, 10).

Even during the operations, organization of a War Economy Staff Serbia with a Wi. Kdo. at Belgrade was ordered, the staff was closely connected with Consul General Neuhausen charged with the Economic Administration of Serbia, by the Reichsmarshal.

Also

a). a war economy officer Agram for the territory of Croatia and

b). a Rü-commando Klagenfurt for the Yugoslavian territories turned over to the Reich, were appointed (see Appendix XXI, 11).

The war economy staff Serbia quickly became of great importance for supplying the troops operating in the Balkans, and later on deserved much credit for the utilization and securing of the Yugoslavian raw materials, important for German armaments and by organizing the transport of these raw materials. The seizing of the still usable factories in Serbia and Croatia for assimilation into the German Armament Industry had already been started in April (s. Wi Rü Bureau No. 22-261/62 of April 29, 41. Appendix XXI, 12 and XXi, 13) and represented useful support for the W. T. especially for repair work but also for the manufacture of material of all kinds. The concerns processing raw material could be built up in the course of time to form a valuable support for the German war economy, the deliveries of copper, bauxite, tin, chromium, asbestos and mica were of considerable importance.

As the territory of Greece, by order of the Führer (see appendix, Wi Rü Bureau No. 22 263/41 2 of May 29, Appendix XXI, 14) was ceded to the Italians for economic exploitation, war economy offices were only installed in Greece where needed by the Army or for the security of transportation.

There was one Wi Kdo each established in Saloniki and Athens. At the same time the confiscation and utilization was ordered of the factories, in the areas of Salonica and Athens occupied by German troops, necessary for war economy and armament (see Wi Rü Bureau, No. 22-263/41 s. file XXI, 15). The factories in Athen were especially important as repair plants for the airforce. But also by the delivery of oil and tobacco to the army and to the homeland the war economy offices rendered considerable service.

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The compilation was the result of the deliberations concerning the planned operation in the East, ordered by the Reich Marshall in November 1940. The Office of Economy and Armament ("Wi Rü Amt") had

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taken pains to give a completely objective picture of the situation regarding Defense and armament economy ("wehr - und Rüstungswirtschaftliche Lage") of the USSR and had held it necessary, to refer to the points which might cause difficulties for a military operation.

The result of this work compiled carefully on the basis of safely proved facts is summed up at the end as follows:

"Any operation leading to the occupation of the European part of USSR (without the Uralterritory), will bring the following results:

I. During the first months Germany will be relieved in the field of nutrition and raw materials, if a quick seizure should succeed in

a). preventing the destruction of stocks (stores; "Vorräte")

b). capturing the mineral oilfields of the Caucasus undestroyed and

c). solving the problem of transportation.

II. For longer duration of the war an effective relief is dependent on the following pre-requisites:

a). in all fields:

1). on the solution of the transportation problem,

2). On the staying ("verbleib"; translator's not: may also mean: "whereabouts") of the people (population and winning them over to collaborate.

b). in the field of agriculture:

1). on preventing destruction of the "M.T.S." and the possibility of replacing their pool of tractors and machines by taking up production again in the USSR.

2). on the possibility of fuel supply.

c). in the industrial field:

1). on the capture of powerworks undestroyed or on their fast restoration.

2). on securing the delivery of raw materials not existing in the European part of the USSR to the industry.

III. The supplying of Germany with India-rubber, tungsten, copper, platinum, tin, asbestos and manil hemp remains unsolved until communication with the Far East will be established.

IV. The territory south of the mouth of Volga and Don inclusive of the Caucasus must be included in the operation. The Caucasian fuel supply is indispensable for the exploitation of the occupied territories.

V. In the field of just the armament-industry it will lead to taking possession of about 75% of the total Russian armament industry and almost 100% of the precision tool-manufactoring and optical industory ("Feinmechanische and potische Industry")

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TRANSLATION OF EXTRACTS OF DOCUMENT 2353-PS
(cont.)

The USSR will keep about 25% of the mere armament and scarcely 1% of the precision tool-manufacturing and optical industry.

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In addition to the Italian negotiations, until June 1941 the negotiations with Russia were accorded a great deal of attention. The Führer issued the directive that, in order to camouflage German troop movements, the orders Russia has placed in Germany must be filled as promptly as possible. Since the Russians only made grain deliveries, when the Germans delivered orders placed by the Russians, and since in the case of individual firms these deliveries to Russia made it impossible for them to fill orders for the German armed forces, it was necessary for the Wi Rü office to enter into numerous individual negotiations with German firms in order to coordinate Russian orders with those of the German from the standpoint of priority. In accordance with the wishes of the Foreign Office, German industry was instructed to accept all Russian orders, even if it were impossible to fill them within the limits of the time set for manufacture and delivery. Since, in May especially, large deliveries had to be made to the Navy, the firms were instructed to allow the equipment to go through the Russian Acceptance Commission, then, however, to make such a detour during its transportation as to make it impossible for it to be delivered over the frontier prior to the beginning of the German attack.

As a result of the visit of the Hungarian Minister, Excellence Bartha, the trade in war material with Hungary came once more into the foreground. Above all, the Hungarians demanded German help in equipping their air force, as well as anti-aircraft guns, search lights, and listening devices, tanks, artillery - and communications equipment, and heavy guns. For this they offered free facilities for the manufacture of gauges and fuzes, artillery equipment, trucks and tank trucks. The Hungarians were promised help in almost all fields, however, not until the summer of 1942, because it was thought that by this time the campaign in the East would have come to an end. Technical help for the saving of raw material with the issuing of licenses was offered them immediately. The shifting of German orders to Hungary was put into effect.

The negotiations with Roumania and Finnland covered more ground, because both states made considerable demands for the improvement of the equipment of their units designed to fight against Russia. First, of all the Roumanians asked for anti-aircraft equipment, prime movers, and trucks for the motorization and artillery equipment of all kind; moreover, they asked that the artillery and munition orders placed in France and with the Boehler works be executed. The Finns demanded long-range guns, anti-aircraft guns, fuzes, airplanes and help in carrying out motorization. In accordance with the directive from the Führer, the Roumanians were promised help as much as possible, while the Finns were to be put off until later.

When the operations opened in the East, the demands became greater and more urgent; the Finns, especially, called for raw materials and fuel. These demands were met in the case of both these countries as much as possible.

Bulgarian wishes lay, particularly, in the field of motorization and communications and in the delivery of armoured reconnaissance cars and tanks. Only small deliveries could be made; in general the Bulgarians were instructed that, those states which were actually in the battle, must receive first delivery.

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TRANSLATION OF EXTRACTS OF DOCUMENT 2353-PS
(cont.)

Moreover, the negotiations with Turkey were of special importance. The office of Wi Rü was instructed to specially cultivate these negotiations, and to offer as much war material to the Turks as possible, on the one hand for military-political reasons, on the other hand, in order to force the Turks to make deliveries of chronium. Since the Foreign Office wanted in fall to assure the treaty for deliveries of Turkish chronium for the year 1942/43, more deliveries of war material, which partly constituted former Turkish orders, were promised for 1942.

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CERTIFICATE OF TRANSLATION
OF EXTRACTS OF DOCUMENT
NO 2353-PS

15 November 1945

I, EVELYN GLAZIER, P/O, W.R.N.S., 37371, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Extracts of Document 2353-PS.

EVELYN GLAZIER
P/O, W.R.N.S.
37371

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OFFICE OF THE U. S. CHIEF OF COUNSEL
TRANSLATION OF EXCERPT FROM P. 479
DOCUMENT 2353-PS

History will know only a few examples of cases where a country has directed even in peacetime all its economic forces so deliberately and systematically towards the requirements of war as Germany was compelled to do in the period between the two world wars.

CERTIFICATE OF TRANSLATION OF EXCERPT FROM P. 479, DOCUMENT 2353-PS

22 November 1945

I, EDGAR BODENHEIMER, Civilian, hereby certify that I am thoroughly conversant with the English and German languages: and that the above is a true and correct translation of Excerpt from p. 479, Document 2353-PS.

EDGAR BODENHEIMER
Civilian

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TRANSLATION OF DOCUMENT 2289-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Volkischer Beobachter
Berlin edition No. 68
Berlin, Sunday, 8 March 1936

Excerpts, Page 1:

The important speech of the Fuehrer in the Reichstag on 7 March reads as follows:

Men of the German Reichstag! France has replied to the repeated friendly offers and peaceful assurances made by Germany by infringing the Rhine Pact through a military alliance with the Soviet Union exclusively directed against Germany. In this manner, however, the Locarno Rhine Pact has lost its inner meaning and ceased in practice to exist. Consequently, Germany regards herself for her part as no longer bound by this dissolved treaty. The German Government are now constrained to face the new situation created by this alliance, a situation which is rendered more acute by the fact that the Franco-Soviet Treaty has been supplemented by a Treaty of Alliance between Czechoslovakia and the Soviet Union exactly parallel in form. In accordance with the fundamental right of a nation to secure its frontiers and ensure its possibilities of defense, the German Government have today restored the full and unrestricted sovereignty of Germany in the demilitarized zone of the Rhineland.

Page 5, column 5:

After a hard inner struggle I have, therefore, decided in the name of the German Reich Cabinet (Reichsregierung) to submit the following memorandum to the French Government and the other signatory powers of the Locarno Pact today.

Page 6, column 1:

We have no territorial claims to make in Europe. We know above all that all the tensions resulting either from false territorial settlements or from the disproportion of the numbers of inhabitants to their living spaces cannot, in Europe, be solved by war.

CERTIFICATE OF TRANSLATION

I, C. VIRGINIA von SCHON, Civilian, X-046318, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of excerpts of Document 2289-PS.

C. VIRGINIA von SCHON,
Civilian, X-046318.

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TRANSLATION OF DOCUMENT C-139
OFFICE OF U S CHIEF OF COUNSEL

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SEC. 24-7/C-139

Top Secret.
S.O.

The Reich Minister of Defence
Nr. 1400/35 g.Kdos.L.Chef.

Berlin, 2nd May 1935

2nd copy (Note in (Blue pencil "By hand only")

To: Chief of Army High Command
Chief of Navy High Command
Reich Minister for Air

For the operation, suggested in the last Staff Talks of the Armed Forces, I lay down the Code name "Schulung" ("Training").

The supreme direction of operation "Schulung" rests with the Reich Minister of Defence as this is a joint undertaking of the three Services.

Preparations for the operation will begin forthwith according to the following directives:

I. General.

1.) The operation must, on issue of the code word "Carry Out Schulung", be executed by a surprise blow at lightning speed.

Strictest secrecy is necessary in the preparations and only the very smallest number of officers should be informed and employed in the drafting of reports, drawings etc., and these officers only in person.

2.) There is no time for mobilisation of the Forces taking part. These will be employed in their peace-time strength and with their peace-time equipment.

3.) The preparation for the operation will be made without regard to the present inadequate state of our armaments. Every improvement of the state of our armaments will make possible a greater measure of preparedness and thus result in better prospects of success.

II. In particular, I request suggestions about the following points:

1.) High Command of the Army:

a) How many divisions ready for action and what other suitable troops, including all motorised troops, can be made available for the operation?

Basis of the calculations:

Restriction to pure defence - if necessary delaying resistance - in the West,

Reinforcement of the necessarily inadequate forces there by the East Prussian divisions which will be transported there immediately by rail or sea.

b) Concentration area or areas and time taken by concentration.

c) Plans for the carrying out of the operation.

2.) High Command of the Navy.

Safe transport of the East-Prussian troops by sea if transport by land is not possible.

3.) Air-Force.

a) Support for the attack carried out under "Schulung" by the army.
b) Examination of the possibilities of further assistance to the defence in the West.

(signed) v.Blomberg

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SEC.24-7/C-139.

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CERTIFICATE OF TRANSLATION
OF DOCUMENT C-139, SEC.24-7

5 November 1945

I, VIRGINIA VON SCHON, (CIV), 046318, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document C-139, SEC.24-7.

VIRGINIA VON SCHON
046318.

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D-449.

EXTRACT FROM "DAS ARCHIV".
1937, P.650.

"The unity of the racial and national will created through Nazism with unprecedented elan has made possible a foreign policy through which the bonds of the Versailles Treaty were slashed thre freedom to arm regained and the sovereignty of the whole nation reestablished. We have again become master in our own home, and we have produced the means of power to remain hence forth that way for all times.... The world should notice from Hitler's deeds and words that his aims are not aggressive ones."

D-471.

EXTRACT FROM "DAS ARCHIV".
OCT. 1937, P 921.

"Out of the acknowledgment of these elementary facts the Reich Cabinet has always interceded in favour of treating every concrete international problem within methods especially suited for it, not to complicate it unnecessarily by amalgamation with other problems and as long as problems between only two powers are concerned to choose the way for an immediate understanding between these two powers. We are in a position to state that this method has fully proved itself good not only in the German interest, but also in the general interest".

3717.

H1171-0072

DOCUMENT NO. L-150

7B

STRICTLY CONFIDENTIAL.

Memorandum of Conversation between William C. Bullitt American Ambassador to France, and the German Minister for Foreign Affairs, Von Neurath, in Berlin, on May 18, 1936.

I called on Von Neurath, Minister for Foreign Affairs, on May 18th and had a long talk on the general European situation.

Von Neurath said that it was the policy of the German Government to do nothing active in foreign affairs until "the Rhineland had been digested". He explained that he meant that until the German fortifications had been constructed on the French and Belgian frontiers, the German Government would do everything possible to prevent rather than encourage an outbreak by the Nazis in Austria and would pursue a quiet line with regard to Czechoslovakia. "As soon as our fortifications are constructed and the countries of Central Europe realize that France cannot enter German territory at will, all those countries will begin to feel very differently about their foreign policies and a new constellation will develop," he said.

We then discussed the position of the Little Entent, and Von Neurath said that he could assure me with absolute certainty that Yugoslavia positively would not recognize the Soviet Government. Yugoslavia definitely had refused to join Rumania and Czechoslovakia in forming a bloc under Russian hegemony. He said that Germany's relations with Yugoslavia had improved greatly. He accompanied the latter statement with something like a wink, which I took to mean that some sort of definite understanding had been reached between Germany and Yugoslavia.

In discussing France, he said that he could swear to me that the deepest desire of Hitler was to come to a real understanding with France. He added that I knew from the many conversations we had had on this subject over a long period of years that to establish a Franco-German understanding had always been the core of his personal foreign policy. He then said he regretted that there seemed to him today not the slightest chance of bringing about a reconciliation between France and Germany. He asserted that every attempt he or Hitler had made to draw closer to the French had resulted in either no reply from France or a rebuff.

Von Neurath then stated that no understanding had been reached between Germany and Italy and admitted that the demonstrations of friendship between Germany and Italy were mere demonstrations without basis in reality. He went on to say that at the present time he could see no way to reconcile the conflicting interests of Germany and Italy in Austria. He said that there were three chief reasons why the German Government was urging the Austrian Nazis to remain quiet at the present time. The first was that Mussolini had today the greater part of his army mobilized on the Austrian border ready to strike and that he would certainly strike if he should have a good excuse. The second reason for urging Austrian Nazis to remain quiet for the present was that the Nazi movement was growing stronger daily in Austria. The youth of Austria was turning more and more toward the Nazis and the dominance of the Nazi Party in Austria was inevitable and only a question of time. The third reason was that until the German fortifications had been constructed on the French border an involvement of Germany in war with Italy might lead to a French attack on Germany.

With regard to England, he said that he regretted greatly that no really friendly contact had been established between the German and British Governments. I asked him if he meant that he did not talk and could not talk with Eden or the British Ambassador in Berlin as simply and directly as he was talking to me. He replied that he absolutely could not and that it was totally impossible. I asked him what he thought

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would be British policy with regard to Germany. He replied that he had said to Hitler in the course of the previous week that he was expecting a British gesture of friendship toward Germany which would possibly take the form of a statement made privately that England could see no moral objection to the joining of Austrian Germans to the German Republic. He went on to say that he and Hitler were fully prepared for this maneuver; that the real desire of Britain was to embroil Germany with Italy by producing a Nazi coup d'etat in Austria. "We have no intention, however", he said, " of being the cat's paw for British policy in Europe. Our policy will be a German policy and nothing else."

We discussed relations between Germany and the Soviet Government. Von Neurath said that he considered the hostility between Germany and the Soviet Union adsolutely irremoveable. He asserted that the Soviet Union believed that Nazi Germany was the one obstacle to the conquest of Europe by Communism. There could be no end, therefore, to the hostility between the two States. He asserted that recently the German secret police had found that the Soviet Government, through the Comintern, was pushing the Communist movement in Germany with greater intensity than ever before.

With regard to internal affairs and particularly the appointment of Goering as Schacht's superior, Neurath made the following assertions:

(1) He said that about two months ago Hitler had said to him that it was absolutely necessary to do something to protect Schacht from the attacks of certain Nazi Party institutions and individuals who were in the habit of using foreign exchange in large quantities without Schacht's permission or control. I asked him what institutions he meant and he said that the worst was the Ministry of Propaganda under Goebbels which had been spending millions on foreign propaganda utterly without result. He asserted that Hitler had said to him he felt it would be desireable to shelter Schacht behind the broad figure of Goering, who had great prestige and power in the country and the Nazi Party. He asserted that the arrangement had been made with the full consent and approval of Doctor Schacht and that it was working very well.

He asserted that at major conferences to consider economic affairs Schacht and Goering both presided and that Goering interferred only if certain party chiefs refused to accept Schacht's authority. He asserted that he expected the present arrangement to give satisfactory results and to last for a considerable period.

I suggested to Von Neurath that if, as he had pointed out to me in a previous conversation, those colonies which Germany could hope to reacquire could not provide sufficient raw materials to produce any amelioration in the German economic situation, it seemed most unwise at a time when it was desirable to have as much British support as possible, to raise the question of colonies needlessly. He replied that he had somewhat revised his views since he had talked to me on this subject, and said that there were certain colonies which might be most useful, notably the Cameroons. He seemed to indicate, by further remarks on the subject, that Germany would attempt to obtain the Cameroons but would not push seriously other colonial claims for the present.

I asked Von Neurath when he would reply to the British note of inquiry as to the meaning of Hitler's peace proposals. He answered that the German Government would take its own time about replying, that the reply would certainly not be made in the near future.

He went on to say that the entire matter of the British note of inquiry had been mishandled grossly by the British Foreign Office. He said that Sir Eric Phipps had brought him the note with the request to

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keep its contents absolutely secret and that he had agreed to absolute secrecy as it was possible to reach any international agreements by debates in the public press. He said that, to his utter astonishment, Sir Eric Phipps had then telephoned to him and said that he regretted greatly to inform him that there had been a leak as to the contents of the note and that it would be essential for the British Government to publish it the following morning. Von Neurath asserted that he had asked Phipps if the leak had been in the French Foreign Office and that Sir Eric had replied that he was extremely sorry to say that the leak had been in London.

Von Neurath then went on to say that in view of the fact that it was now proposed to reform the League of Nations entirely and that as one of the proposals of the German Government had been that Germany should enter the League, it was impossible to make decision or binding statements with regard to foreign policy until it was known what the nature of the new League would be. He discussed this matter at some length and seemed to indicate that the German reply to the British note would be long delayed and would not be specific and would explain the lack of definiteness by the excuse that until the new constitution of the League had been established, it would be impossible to make promises with respect to foreign policy.

The entire impression I gathered from Von Neurath was that Germany will attempt to behave in a quiet and inoffensive manner until her fortifications on the French and Belgian frontiers are completed and during that period will attempt to avoid any commitments which might restrict her future activities.

With regard to Czechoslovakia, Von Neurath said that although the Czechs were violently anti-German at the present time, he would not be surprised to see an improvement in relations between Germany and Czechoslovakia brought about by the construction of German fortifications on the French frontier. He said that the German Government knew just as well as the Russian that all talk of Russian military assistance to Czechoslovakia at the present moment was nonsense.

He said that the Russian troops could not reach Czechoslovakia and that Russian airplanes could not easily fly to Czechoslovakia owing to the inability of the Russians to conduct long flights over such difficult regions as those which lie between Kiev and Prague.

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Agreement between the German Government and the Government of the Federal State of Austria, July 11th, 1936.

Translation of Official Communique broadcast from Vienna on July 11th, 1936.

It is officially announced: In the conviction that they are making a valuable contribution towards the whole European development in the direction of maintaining peace and in the belief that they are thereby best serving the manifold mutual interests of both German States, the Governments of the Federal State of Austria and of Germany have resolved to give their relations once more a normal and friendly form. In this connexion it is declared -

1. The German Government recognises the full sovereignty of the Federal State of Austria in the sense of the pronouncements of the German Leader and Chancellor of the 21st May, 1935.
2. Each of the two Governments regards the inner political order (including the question of Austrian national socialism) obtaining in the other country as an internal affair of the other country, upon which it will exercise neither direct nor indirect influence.
3. The Austrian Federal Government will conduct its policy in general and in particular towards Germany always on that fundamental line corresponding to the fact that Austria regards herself as a German State.

In this respect neither the Rome protocols of 1934 and their additions of 1936, nor the relationship of Austria to Italy and Hungary as partners in these protocols, are affected. Considering that the detente desired by both sides can only become really effectual if certain preliminary stipulations on the part of the Governments of both countries are carried out, the Austrian Federal Government and the German Government will pass a number of particular measures to bring about the requisite preliminary state of affairs.

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TC 26

GERMAN ASSURANCE TO AUSTRIA, MAY 21st, 1935.

Germany neither intends nor wishes to interfere in the domestic affairs of Austria, to annex Austria or to attach that country to her. The German people and the German Government have, however, the very comprehensible desire, arising out of the simple feeling of solidarity due to a common national descent, that the right to self-determination should be guaranteed not only to foreign nations, but to the German people everywhere.

I myself believe that no regime which is not anchored in the people, supported by the people, and desired by the people, can exist permanently.

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PARTIAL TRANSLATION OF DOCUMENT 2247-PS
OFFICE OF U S CHIEF OF COUNSEL

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Letter (dated 17 May 1935, by Von Papen to Hitler
(address of writer: Berlin W 9
Lennestr. 9

Translation of:

1st page - 1st sentence of the 2nd paragraph

The news, which I communicated to you the day before yesterday, that the Austrian Government would proclaim its intention to arm through an autonomous act and simultaneoualy on 2 June would announce a Starhemberg regency becomes more and more likely.

2nd page - 2nd paragraph to end of letter

I suggest that we take an active part in this game. The fundamental idea should be to pit Schuschnig and his Christian-social Forces, who are opposed to a home front dictatorship, against Starhemberg. The possibility of thwarting the measures arranged between Mussolini and Starhemberg should be afforded to him, in such way that he would submit the offer to the government of a penal German-Austrian compromise of interests. According to the convincing opinion of the leader of the NSDAP. in Austria, Capt. Leopold, the totalitarian principle of the NSDAP. in Austria must be replaced in the beginning by a combination of that part of the Christian-elements which favors the Greater Germany idea and the NSDAP. If Germany recognises the national independence of Austria and guarantees full freedom to the Austrian national opposition, then as a result of such a compromise the Austrian government would be formed in the beginning by a coalition of these forces.
There should follow a gradual disintegration of the barriers erected between the two countries. The rearmament of the army would have to be effected in close cooperation with the German army even if material aid from Germany would be limited.
A further consequence of this step would be the possibility of the participation of Germany in the Danube pact, which would loose all its acuteness due to the settlement of relations between Germany and Austria. European situation and especially on our relationship with England.
One may object, that Mr. Schuschnig will hardly be determined to follow such a pattern, that he will rather in all probability immediately communicate our offer to our opponents.
Of course, one should first of all explore the possibility, of setting Schuschnig against through, "Go betweens". The possibility exists. If Mr. Schuschnig will finally say "No" and makes our offer known in Rome, then the situation would not be any worse by that, but, on the contrary, the efforts of the Reich government to make peace with Austria would be revealed - Without prejudice to other interests. Therefore even in the case of refusal this last attempt would be an asset. I consider it completely possible, that in view of the far spread dislike of the Alpine countries of the pro-Italian course and in view of the sharp tensions within the confederate government (Bundesregierung), Mr. Schuschnig will grasp this last straw - always under the supposition that the offer could not be interpreted as a trap by the opponents, but that it bears all the markings of an actually honest compromise with Austria.
Assuming success of this step, we would again establish our active intervention in Central European politics, which, as opposed to the

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PARTIAL TRANSLATION OF DOCUMENT 2247-PS
OFFICE OF U S CHIEF OF COUNSEL
(CONT'd)

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French-Czech and Russian political maneuvers, would be a tremendous success, both morally and practically.
Since there are 2 weeks left to accomplish very much work in the way of explorations and Conferences, an immediate decision is necessary.
The Reich Army Minister (Reichswehrminister) shares the opinion presented above and the Reich Foreign Minister (Reichsaussenminister) wanted to discuss it with you, my Fuehrer.

(Signed) von Papen.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 2247-PS

12 November 1945

I, WALTER R. SELIGSON, 1st Lt., 01558904, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2247-PS.

WALTER R. SELIGSON
1st Lt.
O-1558904

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TRANSLATION OF EXCERTPT OF DOC. 2246-PS
OFFICE OF U. S. CHIEF OF COUNSEL

The Extraordinary and
Plenipotentiary Ambassador
of the German Reich
on Special Mission

Vienna, 1 September 1936

To: The Führer and Reich Chancellor, Berlin (by courier)

Subject: Report on Danube situation.

* * *

(3 last paragraphs)

The progress of normalizing relations with Germany at the present time is obstructed by the continued persistence of the Ministry of Security, occupied by the old anti-National Socialistic officials. Changes in personnel are therefore of utmost importance. But they are definitely not to be expected prior to the conference on the abolishing of the Control of Finances (Finanzkontrolle) at Geneva. The Chancellor of the League has informed Minister de Glaise-Horstenau, of his intention, to offer him the porte folio of the Ministry of the Interior./ As a guiding principle (Marschroute) I recommend on the tactical side, continued, patient psychological treatment, with slowly intensifyed pressure directed at changing the regime. The proposed conference on economic relations, taking place at the end of October, will be a very useful tool for the realisation of some of our projects. In discussion with government officials as well as with leaders of the illegal party (Leopold and Schattenfroh) who conform completely with the agreement of July 11. I am trying to direct the next developments in such a manner to aim at corporative representation of the movement in the fatherland front (Vaterländischen Front) but nevertheless refraining from putting National-socialists in important positions for the time being. However such positions are to be occupied only by personalities, having the support and the confidence of the movement. I have a willing collaborator in this respect in Minister Glaise-Horstenau.

(Signature) Papen

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CERTIFICATE OF TRANSLATION
OF EXCERPT OF DOC. 2246-PS

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6 November 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Excerpt of Doc. 2246-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

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TRANSLATION OF DOCUMENT NO.386-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Berlin, 10 Nov 1937

NOTES on the Conference in the Reichskanzlei
on 5 Nov 37 from 1615 - 2030 hours

Present: The Fuehrer and Reich Chancellor
The Reichsminister for War, Generalfeldmarschall v. BLOMBERG
The C-in-C Army, Generaloberst Freiherr von FRITSCH
The C-in-C Navy, Generaladmiral Dr. h.c. RAEDER
The C-in-C Luftwaffe, Generaloberst GOERING
The Reichsminister for Foreign Affairs Freiherr v. NEURATH
Oberst HOSSBACH

The Fuehrer stated initially that the subject matter of today's conference was of such high importance, that its detailed discussion would certainly in other states take place before the Cabinet, in full session. However, he, the Fuehrer, had decided NOT to discuss this matter in the larger circle of the Reich Cabinet, because of its importance. His subsequent statements were the result of detailed deliberations and of the experiences of his 4½ years in Government; he desired to explain to those present his fundamental ideas on the possibilities and necessities of expanding our foreign policy and in the interests of a far-sighted policy he requested that his statements be looked upon in the case of his death as his last will and testament.

The Fuehrer then stated:

The aim of German policy is the security and the preservation of the nation and its propagation. This is consequently a problem of space.

The German nation comprises 85 million people, which, because of the number of individuals and the compactness of habitation, form a homogeneous European racial body, the like of which cannot be found in any other country. On the other hand it justifies the demand for larger living space more than for any other nation. If there have been no political consequences to meet the demands of this racial body for living space then that is the result of historical development spread over several centuries and should this political condition continue to exist, it will represent the greatest danger to the preservation of the German nation (Volkstum) at its present high level. An arrest of the deterioration of the German element in AUSTRIA and in CZECHOSLOVAKIA is just as little possible as the preservation of the present state in GERMANY itself. Instead of growth, sterility will be introduced, and as a consequence, tensions of a social nature will appear after a number of years, because political and philosophical ideas are of a permanent nature only as long as they are able to produce the basis for the realization of the actual claim of existence of a nation. The German future is therefore dependent exclusively on the solution of the need for living space. Such a solution can be sought naturally only for a limited period, about 1 - 3 generations.

Before touching upon the question of solving the need for

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living space, it must be decided whether a solution of the German position with a good future can be attained, either by way of an autarchy or by way of an increased share in universal commerce and industry.

Autarchy: Execution will be possible only with strict National-Socialist State policy, which is the basis; assuming this can be achieved the results are as follows:

A. In the sphere of raw materials, only limited, but NOT total autarchy can be attained:

1. Wherever coal can be used for the extraction of raw materials autarchy is feasible.

2. In the case of ores the position is much more difficult. Requirements in iron and light metals can be covered by ourselves. Copper and tin, however, can NOT.

3. Cellular materials can be covered by ourselves as long as sufficient wood supplies exist. A permanent solution is not possible.

4. Edible fats - possible.

B. In the case of foods, the question of an autarchy must be answered with a definite "NO".

The general increase of living standards, compared with 30 - 40 years ago, brought about a simultaneous increase of the demand and an increase of personal consumption even among the producers, the farmers, themselves. The proceeds from the production increase in agriculture have been used for covering the increased demand, therefore they represent no absolute increase in production. A further increase in production by making greater demands on the soil is NOT possible because it already shows signs of deterioration due to the use of artificial fertilizers, and it is therefore certain that, even with the greatest possible increase in production, participation in the world market could NOT be avoided.

The considerable expenditure of foreign currency to secure food by import, even in periods when harvests are good, increases catastrophically when the harvest is really poor. The possibility of this catastrophe increases correspondingly to the increase in population, and the annual 560,000 excess in births would bring about an increase consumption in bread, because the child is a greater bread eater than the adult.

Permanently to counter the difficulties of food supplies by lowering the standard of living and by rationalisation is impossible in a Continent which had developed an approximately equivalent standard of living. As the solving of the unemployment problem has brought into effect the complete power of consumption, some small corrections in our agricultural home production will be possible, but NOT a wholesale alteration of the standard of food consumption. Consequently autarchy becomes impossible, specifically in the sphere of food supplies as well as generally.

Participation in World Economy. There are limits to this which we are unable to transgress. The market fluctuations would be an obstacle to a secure foundation of the German position; international commercial agreements do NOT offer any guarantee for practical execution. It must be considered on principle that since the World War (1914-18) as industrialization has takenn place in countries which formerly exported food. We live in a period of economic empires, in which the tendency to colonies again approaches the condition which originally motivated colonisation; in JAPAN and ITALY economic motives are the basis of their will to expand, and economic need will also drive GERMANY to it. Countries outside the great economic empires have special difficulties in expanding economically.

The upward tendency, which has been caused in world economy, due to armament competition, can never form a permenent basis for an economic settlement,

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and this latter is also hampered by the economic disruption caused by Bolshevism. There is a pronounced military weakness in those States who base their existence on export. As our exports and imports are carried out over those sea lanes which are dominated by BRITAIN, it is more a question of security of transport rather than one of foreign currency, and this explains the great weakness in our food situation in wartime. The only way out, and one which may appear imaginary, is the securing of greater living space, an endeavour which at all times has been the cause of the formation of states and of movements of nations. It is explicable that this tendency finds no interest in GENEVA and in satisfied States. Should the security of our food position be our foremost thought, then the space required for this can only be sought in EUROPE, but we will not copy liberal capitalist policies which rely on exploiting colonies. It is NOT a case of conquering people, but of conquering agriculturally useful space. It would also be more to the purpose to seek raw material producing territory in EUROPE directly adjoining the Reich and not overseas, and this solution would have to be brought into effect for one or two generations. What would be required at a later date over and above this must be left to subsequent generations. The development of great world-wide national bodies is naturally a slow process and the German people, with its strong racial root, has for this prupose the most favorable foundations in the heart of the European Continent. The history of all times - Roman Empire British Empire - has proved that every space expansion can only be effected by breaking resistance and taking risks. Even setbacks are unavoidable; neither formerly nor today has space been found without an owner; the attacker always comes up against the proprietor.

The question for GERMANY is where the greatest possible conquest could be made at lowest cost.

German politics must reckon with its two hateful enemies, ENGLAND, and FRANCE, to whom a strong German colossus in the center of EUROPE would be intolerable. Both these states would oppose a further reinforcement of GERMANY, both in EUROPE and overseas, and in this opposition they would have the support of all parties. Both countries would view the building of German military strongpoints overseas as a threat to their overseas communications, as a security measure for German commerce, and retrospectively a strengthening of the German position in EUROPE.

ENGLAND is NOT in a position to cede any of her colonial possessions to us owing to the resistance which she experiences in the Dominions. After the loss of prestige which ENGLAND has suffered owing to the transfer of ABYSSINIA to Italian ownership, a return of EAST AFRICA can no longer be expected. Any resistance on ENGLAND's part would at best consist in the readiness to satisfy our colonial claims by taking away colonies which at the present moment are NOT in British hands, e.g. ANGOLA. French favours would probably be of the same nature.

A serious discussion regarding the return of colonies to us could be considered only at a time when ENGLAND is in a state of emergency and the German Reich is strong and well-armed. The Fuehrer does not share the opinion that the Empire is unshakeable. Resistance against the Empire is to be found less in conquered territories than amongst its competitors. The British Empire and the Roman Empire cannot be compared with one another in regard to durability; after the Punic Wars the latter did not have a serious political enemy. Only the dissolving effects which originated in Christendom, and the signs of age which creep into all states, made it possible for the Ancient Germans to subjugate Ancient ROME.

Alongside the British Empire today a number of States exist which are stronger than it. The British Mother Country is able to defend its colonial possessions only allied with other States and NOT by its own power. How could ENGLAND alone, for example, defend CANADA against attack by AMERICA or its Far Eastern interests against an attack by JAPAN.

The singling out of the British Crown as the bearer of Empire unity is in itself an admission that the universal empire cannot be maintained permanently by poor politics. The following are significant pointers in this respect:

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a) IRELAND's struggle for independence

b) Constitutional disputes in INDIA where ENGLAND, by her half-measures, left the door open for Indians at a later date to utilise the non-fulfillment of constitutional promises as a weapon against BRITAIN.

c) The weakening of the British position in the FAR EAST by JAPAN.

d) The opposition in the MEDITERRANEAN to ITALY which - by virtue of its history, driven by necessity and led by a genius - expands its power position and must consequently infringe British interests to an inceasing extent. The outcome of the ABYSSINIAN War is a loss of prestige for BRITAIN while ITALY is endeavoring to increase by stirring up discontent in the MOHAMMEDAN world.

It must be established in conclusion that the Empire cannot be held permanently by power politics by 45 million Britons, in spite of all the solidity of her ideals. The proportion of the populations in the Empire, compared with that of the Motherland is 9:1, and it should act as a warning to us that if we expand in space, we must NOT allow the level of our population to become too low.

France's position is more favorable than that of ENGLAND. The French Empire is better placed geographically, the population of its colonial possessions represents a potential military increase. But FRANCE is faced with difficulties of internal politics. At the present time only 10 per cent approximately of the nations have parliamentary governments whereas 90 per cent of them have totalitarian governments. Nevertheless we have to take the following into our political consideration as power factors:

BRITAIN, FRANCE, RUSSIA and the adjoining smaller States.

The German question can be solved only by way of force, and this is never without risk. The battles of FREDERICK THE GREAT for SILESIA, and BISMARCK's wars against AUSTRIA and FRANCE had been a tremendous risk and the speed of PRUSSIAN action in 1870 had prevented AUSTRIA from participating in the war. If we place the decision to apply force with risk at the head of the following expositions, then we are left to reply to the questions "when" and "how". In this regard we have to decide upon three different cases.

Case 1. Period 1943-45 After this we can only expect a change for the worse. The re-arming of the Army, the Navy and the Air Force, as well as the formation of the Officers' Corps, are practically concluded. Our material equipment and armaments are modern, with further delay the danger of their becoming out-of-date will increase. In particular the secrecy of "special weapons" cannot always be safeguarded. Enlistment of reserves would be limited to the current recruiting age groups and an addition from older untrained groups would be no longer available.

In comparison with the re-armament, which will have been carried out at that time by the other nations, we shall decrease in relative power. Should we not act until 1943/45, then , dependent on the absence of reserves, any year could bring about the food crisis, for the countering of which we do NOT possess the necessary foreign currency. This must be considered as a "point of weakness in the regime". Over and above that, the world will anticipate our action and will increase counter-measures yearly. Whilst other nations isolate themselves we should be forced on the offensive.

What the actual position would be in the years 1943/45 no one knows today. It is certain, however, that we can wait no longer.

On the one side the large armed forces, with the necessity for securing their upkeep, the ageing of the Nazi movement and of its leaders, and on the other side the prospect of a lowering of the standard of living and a drop in the birth rate, leaves us no other choice but to act. If the Fuehrer is still living, then it will be his irrevocable decision to solve the German space problem no later than 1943/45. The necessity for action before 1943/45 will come under consideration in cases 2 and 3.

Case 2 Should the social tensions in FRANCE lead to an internal political crisis of such dimensions that it absorbs the French Army and thus renders it incapable for employment in war against GERMANY, thenthe time for action against CZECHOSLOVAKIA has come.

Case 3 It would be equally possible to act against CZECHOSLOVAKIA if FRANCE should be so tied up by a war against another State, that it cannot "proceed" against GERMANY.

For the improvement of our military political position it must be our first aim, in every case of entanglement by war, to conquer CZECHOSLOVAKIA and AUSTRIA simultaneously, in order to remove any threat from the flanks in case of a possible advance Westwards. In the case of a conflict with FRANCE it would hardly be necessary to assume that CZECHOSLOVAKIA would declare war on the same day as FRANCE. However, CZECHOSLOVAKIA's desire to participate in the war will increase proportionally to the degree to which we are being weakened. Its actual participation could make itself felt by an attack on SILESIA, either towards the North or the West.

Once CZECHOSLOVAKIA is conquered - and a mutual frontier, GERMANY-HUNGARY is obtained - then a neutral attitude by POLAND in a German-French conflict could more easily be relied upon. Our agreements with POLAND remain valid only as long as GERMANY's strength remains unshakeable; should GERMANY have any setbacks then an attack by POLAND against EAST PRUSSIA, perhaps also against POMERANIA, and SILESIA, must be taken into account.

Assuming a development of the situation, which would lead to a planned attack on our part in the years 1943/45, then the behaviour of FRANCE, ENGLAND, POLAND and RUSSIA would probably have to be judged in the following manner:

The Fuehrer believes personally that in all probability ENGLAND and perhaps also FRANCE have already silently written off CZECHOSLOVAKIA, and that they have got used to the idea that this question would one day be cleaned up by GERMANY. The difficulties in the British Empire and the prospect of being entangled in another long-drawn-out European War, were decisive factors in the non-participation of ENGLAND in a war against GERMANY. The British attitude would certainly NOT remain without influence on FRANCE's attitude. An attack by FRANCE without British support is hardly probable assuming that its offensive would stagnate along our Western fortifications. Without ENGLAND's support, it would also NOT be necessary to take into consideration a march by FRANCE through BELGIUM and HOLLAND, and this would also not have to be reckoned with by us in case of a conflict with FRANCE, as in every case it would have as consequence the enmity of GREAT BRITAIN. Naturally, we should in every case have to bar our frontier during the operation of our attacks against CZECHOSLOVAKIA and AUSTRIA. It must be taken into consideration here that CZECHOSLOVAKIA's defence measures will increase in strength from year to year, and thata consolidation of the inside values of the Austrian army will also be effected in the course of years. Although the population of CZECHOSLOVAKIA in the first place is not a thin one, the embodiment of CZECHOSLOVAKIA and AUSTRIA would nevertheless constitute the conquest of food for 5-6 million people, on the basis that a compulsory emigration of 2 million from CZECHOSLOVAKIA and of 1 million from AUSTRIA could be carried out. The annexation of the two States to GERMANY militarily and politically would constitute a considerable relief, owing to shorter and better frontiers, the freeing of fighting personnel for other purposes and the possibility of re-constituting new armies up to a strength of about 12 Divisions, representing a new division per 1 million population.

No opposition to theremoval of CZECHOSLOVAKIA is expected on the part of ITALY; however, it cannot be judge today what would be her attitude in the Austrian question since it would depend largely on whether the DUCE were alive at the time or not.

The measure and speed our our action would decide POLAND's attitude. POLAND will have little inclination to enter the war against a victorious GERMANY, with RUSSIA in the rear.

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Military participation by RUSSIA must be countered by the speed of our operations; it is a question whether this need to taken into consideration at all in view of JAPAN'S attitude.

Should Case 2 occur - paralysation of FRANCE by a Civil war - then the situation should be utilized at any time for operations against CZECHOSLOVAKIA, as GERMANY's most dangerous enemy would be eliminated.

The Fuehrer sees Case 3 looming nearer; it could develop from the existing tensions in the MEDITERRANEAN, and should it occur he has firmly decided to make use of it any time, perhaps even as early as 1938.

Following recent experiences in the course of the events of the war in SPAIN, the Fuehrer does NOT see an early end to hostilities there. Taking into consideration the time required for past offensives by FRANCE, a further three years duration of war is within the bounds of possibility. On the other hand, from the German point of view a 100 per cent victory by FRANCE is not desirable; we are more interested in a continuation of the war and preservation of the tensions in the MEDITERRANEAN. Should FRANCO be in sole possession of the Spanish Peninsula it would mean the end of Italian intervention and the presence of ITALY on the BALEARIC ISLES. As our interests are directed towards continuing the war in SPAIN, it must be the task of our future policy to strengthen ITALY in her fight to hold on to the BALEARIC ISLES. However, a solidification of Italian positions on the BALEARIC ISLES can NOT be tolerated either by FRANCE or by ENGLAND and could lead to a war by FRANCE and ENGLAND against ITALY, in which case SPAIN, if entirely in white (i.e. FRANCO's) hands, could participate on the side of ITALY's enemies. A subjugation of ITALY in such a war appears very unlikely. Additional raw materials could be brought to ITALY via GERMANY. The Fuehrer believes that ITALY's military strategy would be to remain on the defensive against FRANCE on the Western frontier and carry out operations against FRANCE from LIBYA against the North African French colonial possessions.

As a landing of Franch-British troops on the Italian coast can be discounted, and as a French offensive via the ALPS to Upper ITALY would be extremely difficult and would probably stagnate before the strong Italian fortifications, French lines of communication by the Italian fleet will to a great extent paralyze the transport of fighting personnel from North Africa to FRANCE, so that at its frontiers with ITALY and GERMANY, FRANCE will have at its disposal solely the metropolitan fighting forces.

If GERMANY profits from this war by disposing of the CZECHOSLOVAKIAN and the AUSTRIAN questions, the probability must be assumed that ENGLAND - being at war with ITALY - would not decide to commence operations against GERMANY. Without British support a warlike action by FRANCE against GERMANY is not to be anticipated.

The date of our attack on Czechoslovakia and Austria must be made independent on the course of the Italian-French-English war and would not be simultaneous with the commencement of military operations by these three States. The Fuehrer was also not thinking of military agreements with Italy, by in complete independence and by exploiting this unique favourable opportunity, he wishes to begin to carry out operations against Czechoslovakia. The attack on Czechoslovakia would have to take place with the "speed of lightening (blitzartig schnell)".

Fieldmarshall von BLOMBERG and Generaloberst von FRITSCH in giving their estimate on the situation, repeatedly pointed out that ENGLAND and FRANCE must not appear as our enemies, and they stated that the war with ITALY would NOT bind the French army to such an extent that it would NOT be in a position to Commence operations on our Western frontier with superior forces. Generaloberst von FRITSCH estimated the French forces which would presumable be employed on the ALPINE frontier against ITALY to be in the region of 20 divisions, so that a strong French superiority would still remain on our Western frontier. The French would, according to German reasoning, attempt to advance into the RHINELAND. We should consider the lead which FRANCE has got in mobilization, and quite apart from the very small value of our then existing fortifications - which was pointed out particularly by Generalfieldmarschall von BLOMBERG - the

four motorized divisions which had been laid down for the West would be more or less incapable of movement. With regard to our offensive in a South-Easterly direction, Fieldmarschall von BLOMBERG drew special attention to the strength of the CZECHOSLOVAKIAN fortifications, the building of which had assumed the character of a MAGINOT line and which would present extreme difficulties to our attack.

Generaloberst von FRITSCH mentioned that it was the purpose of a study which he had laid on for this winter to investigate the possibilities of carrying out operations against CZECHOSLOVAKIA with special consideration of the conquest of the Czechoslovakian system of fortifications; the Generaloberst also stated that owing to the prevailing conditions he would have to relinquish his leave abroad, which was to begin on the 10 November. This intention was countermanded by the Fuehrer who gave as a reason that the possibility of the conflict was not to be regarded as being so imminent. In reply to statements by Generalfieldmarschall von BLOMBERG and Generaloberst von FRITSCH regarding ENGLAND and FRANCE's attitude, the Fuehrer repeated his previous statements and said that he was convinced of BRITAIN'S non-participation and the consequently he did not believe in military action by FRANCE against GERMANY. Should the MEDITERRANEAN conflict already mentioned lead to a general mobilization in EUROPE, then we should have to commence operations against CZECHOSLOVAKIA immediately. If, however, the powers who are not participating in the war should declare their disinterestedness, then GERMANY would , for the time being, have to side with this attitude.

In view of the information given by the Fuehrer, Generaloberst GOERING considered it imperative to think of a reduction or abandonment of our military undertaking in SPAIN. The Fuehrer agreed to this in so far as he believed this decision should be postponed for a suitable date.

The second part of the discussion concerned material armament questions.

(in ink)
Certified: (Signed) HOSZBACH

Kirchbach
Oberst. d. A. (Col. General Staff)

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 386 PS

14 November 1945

I, E. GLAZIER, P/O, 37371, hereby certify that I am thoroughly conversant with the English and German languages; and that the avove is a true and correct translation of Document No. 386 PS.

E. GLAZIER
P/O, 37371

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Document 3045-PS

British Embassy,

BERLIN.

12th March, 1938.

My Lord,

With reference to your telegram No. 79 of March 11th, I have the honour to transmit to Your Lordship herewith a copy of a letter which I addressed to Baron von Neurath in accordance with the instructions contained therein and which was delivered on the same evening.

2. The French Ambassador addressed a similar letter to Baron von Neurath at the same time.

I have the honour to be, with the highest respect,

My Lord,

Your Lordship's most obedient

humble Servant,

NEVILLE HENDERSON.

The Right Honourable

Viscount Halifax, K.G., G.C.S.I., G.C.I.E.,

etc., etc., etc.

Document 3045-PS.

3715.

H1171 - 0089

NOTE FROM SIR NEVILLE HENDERSON TO VON NEURATH

11th. March 1938.

Dear Reich Minister,

My Government are informed that a German ultimatum was delivered this afternoon at Vienna demanding, inter alia, the resignation of the Chancellor and his replacement by the Minister of the Interior, a new Cabinet of which two-thirds of the members were to be National Socialists, and the re-admission of the Austrian Legion to the country with the duty of keeping order in Vienna.

I am instructed by my Government to represent immediately to the German Government that if this report is correct H.M.G. in the U.K. feel bound to register a protest in the strongest terms against such use of coercion backed by force against an independent State in order to create a situation incompatible with its national independence.

As the German Minister for Foreign Affairs has already been informed in London such action is bound to produce the greatest reactions of which it is impossible to foretell the issues.

Yours sincerely,

for the Ambassador

I.A. KIRKPATRICK

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 3045-PS.

I, ERNST H. COHN, Pfc, 33925738, hereby certify that I am thoroughly conversant with the German and English languages; and that the above is a true and correct translation of Document No. 3045-PS.

ERNST H. COHN, Pfc.,
33925738.

H1171-0090

I, SIR DAVID JOHN MONTAGU-DOUGLAS-SCOTT, K.C.M.G., a Deputy Under-Secretary of State for Foreign Affairs, HEREBY CERTIFY that the document hereto attached and marked "I.", is a TRUE COPY of a despatch, dated 13th March, 1938, addressed by the British Ambassador at Berlin to His Majesty's Secretary of State for Foreign Affairs in London;

AND I FURTHER CERTIFY that the document hereto attached and marked "L." is a TRUE COPY of the enclosure referred to in the aforesaid document marked "I.".

/s/ David Scott

(SEAL)

LONDON

Foreign Office, London, S.W. 1.

29th. November, 1945.

"L" #229

TRANSLATION OF
DOC. 3287-PS, "L"

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Copy

The President
of the Secret Cabinet Council

Berlin, 12th March 1938

Your Excellency,

In a letter of the 11th of March Your Excellency has informed us that the Royal British Government had received the news that a German ultimatum was presented in Vienna, demanding the resignation of the Chancellor, his replacement by the Minister of the Interior, the formation of a new Cabinet with a two-thirds majority of national socialist members and the readmittance of the Austrian Legion. In case these reports should prove right, the Royal British Government have protested against such coercion based on force and exerted on an independent country in order to create a situation incompatible with its national independence.

In the name of the German Government I must point out here that the Royal British Government has no right to assume the role of a protector of Austria's independence. In the course of diplomatic consultations on the Austrian question, the German Government never left any doubt with the Royal British Government that the formation of relations between Germany and Austria could not be considered anything but the inner concern of the German people and that it did not affect third Powers. It is superfluous to reiterate the historical and political reasons for this standpoint.

For this reason the German Government must, as a matter of course, reject as unacceptable the conditional protest lodged by the Royal British Government.

In reference to the news mentioned in your letter, that the German Government had made ultimative demands in Vienna, the German Government nevertheless does not want to neglect, for the sake of truth, to ascertain the following regarding the events of the last days:

Recognizing the dangers that resulted from the situation in Austria that had become intolerable, the German Reich Chancellor, a few weeks ago, had brought about a conference with the then Austrian Chancellor. It had as its aim to try once more to meet these dangers by agreeing on measures that could guarantee a tranquil and peaceful development serving the interests of both countries as well as the interests of the entire German people. The agreement of Berchtesgaden, had it been carried out loyally on the part of Austria in the sense of the announcement of 12 February, would have guaranteed just such a development.

Instead, the former Austrian Chancellor announced on the evening of the 9th of March the surprising and arbitrary resolution, decided on by himself, to hold an election within a few days, which, under the prevailing circumstances and especially according to the details provided for the execution of the election, could and was to have the sole purpose of oppressing politically the predominant majority of the population of Austria. As could have been foreseen, this procedure, being a flagrant violation of the agreement of Berchtesgaden, led to a very critical point in Austria's internal

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situation. It was only natural that the members of the then Austrian Cabinet who had not taken part in the decision for an election, protested very strongly against it. Therefore, a crisis of the Cabinet occurred in Vienna which, on the 11th of March, resulted in the resignation of the former Chancellor and in the formation of a new Cabinet. It is untrue that the Reich used forceful pressure to bring about this development. Especially the assertion which was spread later by the former Chancellor, that the German Government had presented the Federal President with a conditional ultimatum, is a pure invention; according to the ultimatum he had to appoint a proposed candidate as Chancellor and to form a Cabinet conforming to the proposals of the German Government, otherwise the invasion of Austria by German troops was held in prospect. The truth of the matter is that the question of sending military or police forces from the Reich was only brought up when the newly formed Austrian Cabinet addressed a telegram, already published by the press, to the German Government, urgently asking for the dispatch of German troops as soon as possible in order to restore peace and order and to avoid bloodshed. Faced with the immediately threatening danger of a bloody civil war in Austria, the German Government then decided to comply with the appeal addressed to it.

This being the state of affairs, it is impossible that the attitude of the German Government, as asserted in your letter, could lead to some unforeseeable reactions. A complete picture of the political situation is given in the proclamation which, at noon today, the German Reich Chancellor has addressed to the German people. Dangerous reactions to this situation can take place only if eventually a third party should try to exercise its influence, contrary to the peaceful intentions and legitimate aims of the German Government on the shaping of events in Austria, which would be incompatible with the right of self-government of the German people.

Please accept, Mr. Ambassador, the expression of my deepest respect.

signed: Freiherr von Neurath

To:
His Excellency
The Royal British Ambassador
Sir Neville Henderson
Berlin

I, Annemarie C. Catlin, X-046172, hereby certify that I am thoroughly conversant with the German and English languages, and that the above is a true and correct translation of Document 3287-PS.

ANNEMARIE C. CATLIN
X-046172

Doc. 3287-PS, "L"

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(Seal)
The Gauleiter

Salzburg, 22 Aug 1939
Chiemsee

Personal!

Only direct delivery!

To the

Reich Minister Dr. Arthur SEYSS-INQUART,

VIENNA I
Ballhausplatz 2

Dear Dr. Seyss:

I have received your letter of 19 August 1939 in which you asked me to inform you what I know of those matters, which, among others, are the subject of your correspondence with BUERCKEL.

I do not wish to discuss sundry talks and all that, what has been brought to my notice in the course of time by different people. I wish to clarify essentially my own attitude.

On the 5th of July 1939 I was asked by telephone by the Reich Commissioner Gauleiter BUERCKEL if I was in possession of the memorandum of GLOBUS regarding the events of March. I told him that I do not have this memorandum and that I never possessed a single part of it, that I furthermore did not then participate in the matter and do not know its content. Because of official requests by BUERCKEL I have entrusted him with a report accompanied by a letter written on the 6th July.

If BUERCKEL now writes to you that certain statements were confirmed by me, I feel obliged to entrust you with a copy each of my copies of those two documents, which were only written in single originals. I shall specially inform Buerckel of this. I connect this with declaration, that I have given apart from those written explanations- confirmations, declarations, or criticisms whatsoever regarding you and your attitude, and that I have authorized Nobody to refer to any statements of mine.

Since the beginning of our collaboration, I have always expressed and represented forcefully my ideas regarding yourself and my opinion of your personality. This conception of mine was the very basis of our collaboration. The events of February and March have not changed this, especially since I considered the political success of the 11th March merely as a confirmation of the intentions and convictions which have equally induced both of us to collaborate.

As far as GLOBUS is concerned you are fully aware of his species which I judged always and in every situation only by its good side. I believe that you already talked to Globus about the occurrences between the 11th of March 1938 and today; and I am convinced that he will tell you everything that is bothering him, if you will speak to him about this matter, as is your intention.

With the best regards and

HEIL HITLER!

Yours

signed: Friedl Rainer

2 enclosures.

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PARTIAL TRANSLATION OF DOCUMENT 812-PS
OFFICE OF U.S. CHIEF OF COUNSEL
(Cont.)

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Copy.

Salzburg, 6 July 1939

To the
Reich Commissar Gauleiter Josef BURCKEL

Vienna I
Parliament

Dear Party Member BUERCKEL!

Soon after taking over in Austria, Klausner, Globocnik, and I flew to Berlin to report to Hitler's deputy, Hess, about the events which led to our taking over the government. We did this because we had the impression that the general opinion, perhaps also Htler's own, was that the liberation depended more on Austrian matters of state rather than the party. To be more exact, Hitler especially mentioned Dr. Seyss-Inquart alone; and public opinion gave him alone credit for the change and thus believed him to have played the sole leading role.

This conception does not, however, correspond to the true proportions of powers and to the conditions of leadership which were completely clear until 12 March 1938. At that time I gave a short report in Klausner's behalf to the deputy of Hitler and also submitted a short summary of the developments since 1934, I made no single copy of this. I did not take part in further actions of this kind since they seemed to me to be too much connected with personal feelings. I think the main reason for the fact that the person of Dr. Seyss-Inquart seemed to Hitler and to public opinion to have stepped in the limelight in those March days, was that no position existed in the party from which one might have presented oneself to the public; and that there was no man who had the guts to let himself be presented. The actual reason was that the party leadership had to remain secret during the whole illegal fight, secret even from the Reich German public. He who wanted to direct correctly the political battle of the Austrian nazism had to forego public fame. Leopold did not want to forego that and made such decisive political mistakes that his recall became necessary. The person of Klausner never longed for fame and was therefore not suitable to appear gloriously after the taking over of power. The two powers behind Klausner - I consider the dynamic part of Globocnik and the political part of myself - were bound from the beginning, as collaborators of Klausner's, to put him to the fore.

We saw in March and April how a false picture about the actual leadership conditions developed from this fact which could not be corrected inspite of our attempts to that effect. This was an important factor for the varying moods of Globocnik who hoped especially from you that you would emphasize for Hitler and also for the public the role of the party during the events preceding 12 March 1938. I limited myself to address this verbal and written declaration to party member Hess, and furthermore to secure the documents from the March days. In addition, I spoke at every available opportunity about the fight of the party. I did not undertake steps to give just credit to other persons for the glory which was excessively ascribed to one person, Dr.Seyss-Inquart; and I would not do that, primarily because I appear as a beneficiary, and furthermore because I believe that I would not gladden Hitler by doing so. I am also convinced that Dr. Seyss-Inquart did not act crookedly, and furthermore that Hitler does not want to commit an act of historical justice by special preference of his person, but that he is attracted to him personally. It really is of no great account to Hitler if this or that person was more or less meritorious, in this sector of the great fight of the movement. Because, in the last analysis, by far

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the greatest part is to be ascribed only to him; he alone will be considered by history as the liberator of Austria. I, therefore, considered it best to accept existing conditions and look for new fertile fields of endeavor in the party.

If I should be asked to describe - without personal interest - the role of the party according to my best conviction, I am ready to do so at any time. For this reason I promised yesterday to submit to you again a short summary, and to make it available for your confidential use. Of this letter and of this abbreviated description I retain the sole copy.

Heil Hitler!

Rainer e.h.

1 Enclosure

C O P Y.

(Report given on the 6th July 1939 by Rainer to Buerkel on the events in the N.S.D.A.P. of Austria from ..... to 11th of March 1938 (Anschluss)).

Report on the events in the N.S.D.A.P. of Austria since the beginning of the last stage of battle until the seizure of power on the 11th March 1938.

- -

In 1933 the Party fought a parliamentary battle. By the seizure of power in the Reich it gained considerably in numbers. It started to try to enforce new elections in order to gain admission into the government. By these means it should have taken over the government. The enemies recognized this fact, and the Government Dollfuss proceeded, while tolerating the reds, to force the N.S.D.A.P. from its legal plane in order to render it innocuous. In this the government used legal tricks, thereby practically doing away progressively with the democratic constitution. The first attempt of the government were answered by the Party with an increase of pressure; and the government's breaches of constitution were answered by arbitrary acts with the assumption that it might thus be able to overthrow the government. This assumption was wrong; at that time the government had the backing of all anti-German foreign countries, and it felt sufficiently strong to prohibit the N.S.D.A.P., and confession of adherance to the N.S.D.A.P., and subsequently to treat as high treason the confession in favor of the "Anschluss".

Thus the first stage of battle commenced which ended with the July rising of 1934. The decision for the July rising was right, the execution of it was faulty. The result was a complete destruction of the organization; the loss of entire groups of fighters through imprisonment or flight into the "Alt-Reich"; and with regard to the political relationship of Germany to Austria, a formal acknowledgement of the existence of the Austrian State by the German Government. With the telegram to PAPEN, instructing him to reinstitute normal relationships between the two states, the Fuehrer had liquidated the first stage of the battle; and a new method of political penetration was to begin. By order of the Fuehrer the Landesleitung Munich was dissolved, and the party in Austria was left to its own resources.

There was no acknowledged leader for the entire party in Austria. New leaderships were forming in the nine Gaus. The process was again and again interrupted by the interference of the police; there was no liaison between the formations, and frequently there were two, three or more rival leaderships. The first evident, acknowledged speaker of almost all the Gaus in Autumn 1934 was engineer REINTHALLER (already appointed Landes-

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bauernfuehrer (leader of the country's farmers) by HESS)). He endeavoured to bring about a political appeasement by negotiations with the government, with the purpose of giving the N.S.D.A.P. legal status again, thus permitting its political activities,. Simultaneously Reinthaller started the reconstruction of the illegal political organization, at the head of which he had placed engineer NEUBACHER.

The first attempt to create a legal political organization which was to negotiate with the Government while a secret illegal organization existed, did not succeed; it brought about quarells in almost all Gaus and ended with pressure of the illegal branch against the policy of appeasement of REINTHALLER, and with the latters retirement as Landesleiter (country leader). The successor, NEUBACHER, head of the illegal organisation, was not recognized by all the Gaus, because meanwhile the former Gauleader of Lower Austria, Captain LEOPOLD, was released from; and he claimed the country leadership because of his seniority in the party. In Carinthia at about that time, KLAUSNER with his collaborators GLOBOCNIK, RAINER, LONCHIN and PAWLOWSKI had reconstructed and readied the Gau Carinthia. The Gau Carinthia kept away from the quarells of the leaders, and arbitrated the differences between LEOPOLD and NEUBACHER, and finally effected a solution in such a way that NEUBACHER and his adherents recognized LEOPOLD as the country leader; and LEOPOLD appointed NEUBACHER to be his deputy. The points of friction between these two groups were not yet eliminated. Those differences did not remain concealed from the police; and the police got hold of a polemic by the group of Leopold against the group of Neubacher, on the strength of this material they arrested Leopold and Neubacher.

At that time the success of the calm attitude of the Gau Carinthia was crowned by the fact that after these arrests the representatives of all the Gaus came to Carinthia to offer KLAUSNER the country leadership. By order of Klausner Dr. Rainer reported at these conferences the political referendum and developed the political conception as adopted by the Gau Carinthia on the basis of which, as a matter of fact, an agreement was reached. In July 1935 KLAUSNER became the head of the movement without, however adopting the title of country leader because he considered it wrong as long as the country leader LEOPOLD was imprisoned, but he looked upon himself as the speaker of the college of Gauleaders. With the consent of the representatives of all the Gaus, KLAUSNER at that time appointed GLOBOCNIK as co-worker for the organizational part, and RAINER as co-worker for the political part of his task.

In August some further arrests took place, the victims of which were, apart from the Gauleaders, also Globocnik and Rainer. SCHATTENFROH then claimed, because of an instruction received from the imprisoned LEOPOLD, to have been made deputy country leader. A group led by engineer RAFFELSBERGER had at this time also established connections with departments of the Alt-Reich (Ministry of Propaganda, German Racial Agency, etc.) and made an attempt to formulate a political motto in the form of a program for the fighting movement of Austria. In Spring of 1936 SCHATTENFROH was arrested; he had named party member HINTERLEITNER of Linz as his successor as managerial country leader. In March KLAUSNER was arrested in connection with the arrest of about 60 leading Nazis, whereas Dr. RAINER was released. HINTERLEITNER again followed those directives which were set down at the conferences at Carinthia in the Spring of 1935; and in May 1936 he appointed RAINER, GLOBOCNIK and engineer HIEDLER to the country leadership in the following spheres of influence:

Rainer to be chief of the political staff; HIEDLER as chief of the organization; and GLOBOCNIK as liaison officer with the Reich and as organizer of all the auxiliary bases outside of Austria.

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TRANSLATION OF EXCERPTS FROM DOC. 812/PS
OFFICE OF U S CHIEF OF COUNSEL

COPY

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EXTRACTS OF REPORT ON EVENTS IN THE NSDAP OF AUSTRIA FROM 1933 TO 11 MARCH 1938 (ANSCHLUSS). GIVEN BY RAINER TO REICHSKOMMISSAR GAULEITER BURCKEL ON 6 JULY 1939.

(pp. 5-6)

The principles of the construction of the organization were: The organization is the bearer of the illegal fight and the trustee of the idea to create a secret organization, in a simple manner and without compromise, according to the principle of organizing an elite to be available to the illegal land-party council upon any emergency. Besides this, all political opportunities should be taken and all legal people and legal chances should be used without revealing any ties with the illegal organization. Therefore, cooperation between the illegal party organization and the legal political aides was anchored at the top of the party leadership. All connections with the party in Germany were kept secret in accordance with the orders of the Führer. Those said that the German state should officially be omitted from the creation of an Austrian NSDAP; and that auxiliary centers for propaganda, press, refugees, welfare, etc. should be established in the foreign countries bordering Austria.

Hinterleitner already contacted the lawyer Seyss-Inquart, who had connections with Dr. Wächter which originated from Seyss-Inquart's support of the July uprising. On the other side Seyss-Inquart had a good position in the legal field and especially well-established relations with Christian-Social politicians. Dr. Seyss-Inquart came from the ranks of the "Styrian Heimatschutz" and became a party member when the entire "Styrian Heimatschutz" was incorporated into the NSDAP. Another personality who had a good position in the legal field was Col. Glaise-Horstenau who had contacts with both sides. The agreement of 11 July 1936 was strongly influenced by the activities of these two persons. Papen mentioned Glaise-Horstenau to the Führer as being a trusted person.

At that time the Führer wished to see the leaders of the party in Austria in order to tell them his opinion on what Austrian National-Socialists should do. Meanwhile Hinterleitner was arrested, and Dr. Rainer became his successor and leader of the Austrian party. On 16 July 1936, Dr. Rainer and Globocnik visited the Führer at the "Obersalzburg" where they received a clear explanation of the situation and the wishes of the Führer. On 17 July 1936, all illegal Gauleiters met in Anif near Salzburg, where they received a complete report from Rainer on the statement of the Führer and his political instructions for carrying out the fight. At the same conference the Gauleiters received organizational instructions from Globocnik and Hiedler.

(pp. 7-10)

Upon the proposal of Globocnik, the Führer named Lt. Gen. (Gruppenführer) Keppler as chief of the mixed commission which was appointed, in accordance with the state treaty of 11 July 1936, to supervise the correct execution of the agreement. At the same time Keppler was given full authority by the Führer for the party in Austria. After Keppler was unsuccessful in his efforts to cooperate with Leopold, he worked together with Dr. Rainer, Globocnik, Reinthaller as leader of the peasants, Kaltenbrunner as leader of the SS, and Dr. Jury as deputy-leader of the Austrian party, as well as with Glaise-Horstenau and Seyss-Inquart.

Regarding internal conditions, it was clear that full recognition of the party leadership was given by Seyss-Inquart. He was also in permanent contact with Capt. Leopold, and there were never any serious conflicts between them . But he also acknowledged the correctness of Dr. Rainer's political interpretations, and the actual leadership of Dr. Rainer in all political actions. The situation was much the same with Glaise-Horstenau who was wholeheartedly for Rainer and Globocnik but always carefully guarded the legal party position of Leopold.

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Due to the cooperation of the above-mentioned people with group leader Keppler and other officials of the Reich and due to the activities of other covered contact-men in Austria, it was possible to obtain the appointment of Seyss-Inquart as "Staatsrat" (councillor of state) in July 1937. Due to the same facts, the Chancellor Dr. Schuschnigg was forced to take a new so-called "satisfactory action." Through all this a new and stronger political position was won in the Austrian system. The National-Socialist Party became acceptable again in the political field and became a partner with whom one had to negotiate, even when it was not officially incorporated into internal Austrian political developments. This complicated political maneuver, accompanied by the steadily increasing pressure from the Reich, led to the talks between the Führer and Schuschnigg at the Obersalzberg. Here Gruppenführer Keppler presented the concrete political demands of the fighting underground movement, which he estimated according to his personal experiences and the information he received. The results of these talks were the right of a free acknowledgment of the National Socialist movement on the one hand, and the recognition of an independent Austrian state on the other hand, as well as the appointment of Seyss-Inquart as Minister of Interior and Public Safety, as a person who will guarantee to both sides the proper carrying out of the agreements. In this way Seyss-Inquart occupied the key position and was in the center of all obvious political actions. A legal base in the government was won for the party. This resulted in a paralysis of the "system apparates" (Schuschnigg government) at a time when a revolution needed to be carried out. Through this, the basis for a new attack on the Schuschnigg government was won.

Another result of the agreement was the appointment by the Führer of Leopold as a member of the staff of Hess. After a long, personal talk with Klausner, the Führer appointed him as leader of the Austrian National Socialists, upon recommendation of Keppler. * * * The relationship between Seyss-Inquart and Klausner was as follows: Seyss-Inquart acknowledged unconditionally the party leadership and actions taken by it; and he also acknowledged Klausner as the leader of the party. As a party member he was under the command of Klausner and received orders from him. But as a result of the agreement at Berchtesgaden and the statement the Führer made to him during his state visit in Berlin, Seyss-Inquart was the personal trustee of the Führer and directly responsible to him for the illegal NSDAP in Austria within the confines of his political sphere. Seyss-Inquart also acknowledged the free political initiative of the party leader of Austria.

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The "Landesleitung" received word about the planned plebiscite through illegal information services, on 9 March 1938 at 10 a.m. At the session which was called immediately afterwards, Seyss-Inquart explained that he had known about this for only a few hours, but that he could not talk about it because he had given his word of honor to keep silent on this subject. But during the talks he made us understand that the illegal information we received was based on truth, and that in view of the new situation, he had been cooperating with the "Landesleitung" from the very first moment. Klausner, Jury, Rainer, Globocnik and Seyss-Inquart were present at the first talks which were held at 10 a.m. There it was decided that first , the Führer had to be informed immediately; secondly, the opportunity for the Führer to intervene must be given to him by way of an official declaration made by Minister Seyss-Inquart to Schuschnigg; and thirdly, Seyss-Inquart must negotiate with the government until clear instructions and orders were received from the Führer. Seyss-Inquart and Rainer together composed a letter to Schuschnigg, and only one copy of it was brought to the Führer by Globocnik, who flew to him on the afternoon of 9 March 1938.

* * * Negotiations with the government were not very successful. Therefore they were stopped by Seyss-Inquart in accordance with the instructions he received from the Führer. On the 10th of March all preparations for future revolutionary actions had already been made, and the necessary orders given to all unit leaders. During the night of the 10th to the 11th, Globocnik returned from the Führer with the announcement that the Führer gave the party freedom of action and that he would back it in everything it did.

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Rainer then gave the final instructions for Friday, the 11th of March, and explained that three situations might develop within the following days:

1st Case: The plebiscite will not be held. In this case, a great demonstration must be held.

2nd Case: Schuschnigg will resign. In this case, a demonstration was ordered in taking over the government power.

3rd Case: Schuschnigg will take up the fight. In this case, all party leaders were ordered to act upon their own initiative, using all means to capture the position of power.

Dr. Seyss-Inquart took part in these talks with the Gauleiters.

On Friday, 11 March, the minister Glaise-Horstenau arrived in Vienna after a visit with the Führer. After talks with Seyss-Inquart he went to see the Chancellor. At 11:30 a.m. the "Landesleitung" had a meeting at which Klausner, Rainer, Globocnik, Jury, Seyss-Inquardt, Glaise-Horstenau, Fischböck and Mühlmann participated. Dr. Seyss-Inquardt reported on his talks with Dr. Schuschnigg which had ended in a rejection of the proposal of the two ministers. * * * On the basis of written evidence which Glaise-Horstenau had brought with him, a leaflet, to be printed in millions of copies, and a telegram to the Führer calling for help, were prepared.

Klausner placed the leadership of the final political actions in the hands of Rainer and Globocnik. Schuschnigg called a session of all ministers for 2:00 p.m. Rainer agreed with Seyss-Inquardt that Rainer would send the telegram to the Führer and the statement to the population at 3:00 p.m. and at the same time he would start all necessary actions to take over power unless he received news from the session of the ministers' council before that time. During this time all measures had been prepared. At 2:30, Seyss-Inquardt 'phoned Rainer and informed him Schuschnigg had been unable to take the pressure and had recalled the plebiscite but that he had refused to call a new plebiscite and had ordered the strongest police measures for maintaining order. Rainer asked whether the two ministers had resigned, and Seyss-Inquardt answered "No". Rainer informed the "Reichskanzlei" through the German Embassy, and received an answer from Göring through the same channels that the Führer will not consent to partial solutions and that Schuschnigg must resign. Seyss-Inquardt was informed of this by Globocnik and Mühlmann; talks were had between Seyss-Inquardt and Schuschnigg; Schuschnigg resigned. Seyss-Inquardt asked Rainer what measures the party wished to be taken. Rainer's answer: Reestablishment of the government by Seyss-Inquardt, legalization of the party, and calling up of the SS and SA as auxiliaries to the police force. Seyss-Inquardt promised to have these measures carried out, but very soon the announcement followed that everything might be threatened by the resistance of Miklas. Meanwhile word arrived from the German Embassy that the Führer expected the establishment of a government under Seyss-Inquardt with a national majority, the legalization of the party, and permission for the legion to return, all within the specified time of 7:30 p.m.; otherwise, German troops would cross the border at 8:00 p.m. At 5:00 p.m., Rainer and Globocnik, accompanied by Mühlmann, went to the Chancellor's office to carry out this errand. Situation: Miklas negotiated with Ender for the creation of a government which included, blacks, reds and National Socialists, and proposed the post of Vice-Chancellor to Seyss-Inquardt. The latter rejected it and told Rainer that he was not able to negotiate by himself because he was personally involved, and therefore a weak and unpleasant political situation might result. Rainer negotiated with Zernatto. Director of the cabinet Huber, Guido Schmidt, Glaise-Horstenau, Legation Councillor Stein, Military Attache General Muff, and the "Gruppenführer" Keppler, who had arrived in the meantime, were also negotiating. At 7:00 p.m. Seyss-Inquardt entered the negotiations again. Situation at 7:30 p.m.: Stubborn refusal of Miklas to appoint Seyss-Inquardt as Chancellor; appeal to the world in case of a German invasion.

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Gruppenführer Keppler explained that the Fuhrer did not yet have an urgent reason for the invasion. This reason must first be created. The situation in Vienna and in the country is most dangerous. It is feared that street fights will break out any moment because Rainer ordered the entire party to demonstrate at 3 o'clock. Rainer proposed storming and seizing the government palace in order to force the reconstruction of the government. The proposal was rejected by Keppler but was carried out by Rainer after he discussed it with Globocnik. After 8:00 p.m. the SA and SS marched in and occupied the government buildings and all important positions in the city of Vienna. At 8:30 p.m. Rainer, with the approval of Klausner, ordered all Gauleiters of Austria to take over power in all eight "gaus" of Austria, with the help of the SS and SA and with instructions that all government representatives who try to resist should be told that this action was taken on order of Chancellor Seyss-Inquardt.

With this, the revolution broke out, and this resulted in the complete occupation of Austria within three hours and the taking over of all important posts by the party. * * *

The seizure of power was the work of the party supported by the Führer's threat of invasion and the legal standing of Seyss-Inquardt in the government. The national result in the form of the taking over of the government by Seyss-Inquardt was due to the actual seizure of power by the party on one hand, and the political efficiency of Dr. Seyss-Inquardt in his territory on the other; but both factors may be considered only in relation to the Führer's decision on 9 March 1938 to solve the Austrian problem under any circumstances and the orders consequently issued by the Führer.

6.7.1939

Rainer e.h.

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CERTIFICATE OF TRANSLATION
OF EXCERPTS OF DOC. 812-PS

9 November 1945

I, WOLFGANG E. THORMANN, M/Sgt., 33779926, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of excerpts from Document No. 812-PS.

WOLFGANG E. THORMANN
M/Sgt., 33779926.

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TRANSLATION OF DOCUMENT 2949 PS
OFFICE OF US CHIEF OF COUNSEL

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TOP SECRET

Reichs Ministry
for Aviation

14 March 1938

Institute for Research

B Nr. F...V. 1106/38g R

To the General Fieldmarshal

Fieldmarshal

Enclosed I submit, as ordered,-the copies of your telephone conversations.

/s/ HIHN

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2949-PS, Cover Page

21 November 1945

I, GOETZ MAYER, T/5 33812169, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2949-PS, cover page.

GOETZ MAYER,
T/5 33812169

2949-PS

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Mexico City, D. F.)
) ss.
Mexico

United Mexican States)
Mexico, Federal District)
Embassy of the United) ss
States of America)

GEORGE S. MESSERSMITH, being first duly sworn deposes and says:

During the years 1933 and 1934, while I served as Counsul General of the United States of America in Berlin, I was in close touch because of my duties and because of the necessities of the times with the diplomatic representatives not only of England and France but with those of Yugoslavia, Czechoslovakia, Poland, Hungary, Austria, Bulgaria, Rumania, Greece, Turkey and Holland. I saw the Chiefs of these Missions, most of whom were also close friends of mine, almost every day, as well as some of their principal subordinates once or twice a week and in many cases oftener. In Austria where I went towards the middle of 1934 as Minister, my contacts with the diplomatic representatives of these countries was if anything even closer and more frequent.

I also had frequent contact during my duty in Germany with many high ranking Germans, including Goering, Goebbels, Frank, Schacht, von Papen, Funk, Lammers, Darré, Ley and many others of the same category and in secondary categories. This contact was made necessary by the nature of my duties and in the protection of our interests. While serving in Germany and in Austria, I also kept in close touch with many of the leading diplomatic and political figures in most parts of Europe with the exception of Russia where I happened at the time not to have any specific contact. These contacts which I maintained with diplomatic and political figures in other countries was based on previous associations and I kept in close contact through various trips which I made from time to time and more particularly through confidential correspondence and through mutual friends. From all these sources I obtained an intimate familiarity with the aims and methods of German diplomacy from 1933 until I returned to the United States to assume a position in the Department of State about the middle of 1937.

As early as 1933, while I served in Germany, the German and Nazi contacts which I had in the highest and secondary categories openly acknowledged Germany's ambitions to dominate Southeastern Europe from Czechoslovakia down to Turkey. As they freely stated, the objective was territorial expansion in the case of Austria and Czechoslovakia. The professed objective in the earlier stages of the Nazi regime, in the remainder of Southeastern Europe, were political and economic control and they did not at that time speak so definitely of actual absorption and destruction of sovereignty. Their ambitions, however, were not limited to Southeastern Europe. From the very beginnings of 1933, and even before the Nazis came into power, important Nazis speaking of the Ukraine freely said that "it must be our granary" and that "even with Southeastern Europe under our control, Germany needs and must have the greater part of the Ukraine in order to be able to feed the people of greater Germany". After I left Germany in the middle of 1934 for my post in Austria, I continued to receive information as to the German designs in Southeastern Europe. In a conversation with von Papen shortly after his appointment as German Minister to Austria in 1934, von Papen frankly stated to me that "Southeastern Europe to Turkey is Germany's Hinterland and I have been designated to carry through the task of bringing it within the fold. Austria is the first on the program." As I learned through my diplomatic colleagues, von Papen in Vienna and his colleague von Mackensen in Budapest, were openly propagating the idea of the dismemberment and final absorption of Czechoslovakia as early as 1935.

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The Nazis planned to gain their aims by force, preferably by the threat of force alone if possible, and by war if needed. At the beginning, however, - that is in the first two years of the Nazi regime - the Nazis wanted peace to give themselves time - that is time to arm - then to divide and isolate their intended victims. I have often heard prominent Nazis say in 1933 and 1934, and I translate literally, "We must have peace until we are ready". By the late summer of 1938, they felt themselves ready.

Immediately after the Nazis came into power they started a vast rearmament program. This was one of the primary immediate objectives of the Nazi regime. As a matter of fact, the two immediate objectives of the Nazi regime when it came into power had to be and were, according to their own statements frequently made to me; first, to bring about the complete and absolute establishment of their power over Germany and the German people so that they would become in every respect willing and capable instruments of the regime to carry through its aims; and second, the establishment of a tremendous armed power within Germany in order that the political and economic program in Southeastern Europe and in Europe could be carried through by force if necessary, but preferably by a threat of force. It was characteristic that in carrying through this second aim they emphasized from the very outset the building of an overpowering air force. Goering and Milch often said to me or in my presence that the Nazis had decided to concentrate on air power as the weapon of terror most likely to give Germany a dominant position and the weapon which could be developed the most rapidly and in the shortest time. In 1934 from a high ranking General in the German Army, whose name I cannot recall for the moment, I learned that they planned to build 1200 planes that year, which was a huge air force for that period and something in terms that no one had thought of before in any country. The rapid development of this air program was obvious to everyone for one could not go out on the streets in Berlin or in any other City of importance in Germany without seeing pilots and air force trainees in evidence everywhere. They were given special privileges and special housing in order to encourage young men to enter the air training program. The rearmament program as a whole, it should be emphasized, proceeded with unbelievable rapidity. It proceeded more quickly, as high Nazi leaders themselves stated to me, than they themselves believed would be possible. It proceeded more rapidly than even informed and trained foreign observers in Germany would have believed possible even though they knew the resources of the German industrial machine.

At the same time that this rearmament program was in progress, the Nazi regime took all possible measures to prepare the German people for war in the psychological sense. Throughout Germany, for example, one saw everywhere German youth of all ages engaged in military exercises, drilling, field maneuvers, practicing the throwing of hand grenades, etc. In this connection I wrote in an official communication in November 1933, from Berlin as follows:

> "..... Everything that is being done in the country today has for its object to make the people believe that Germany is threatened vitally in every aspect of its life by outside influences and by other countries. Everything is being done to use this feeling to stimulate military training and exercises, and innumerable measures are being taken to develop the German people into a hardy, sturdy race which will be able to meet all comers. The military spirit is constantly growing. It cannot be otherwise. The leaders of Germany today have no desire for peace unless it is a peace which the world makes at the expense of complete compliance with German

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desires and ambitions. Hitler and his associates really and sincerely want peace for the moment, but only to have a chance to get ready to use force if it is found finally essential. They are preparing their way so carefully that there is not in my mind any question but that the German people will be with them when they want to use force and when they feel that they have the necessary means to carry through their objects ..."

Military preparation and psychological preparation were coupled with diplomatic preparation designed to so disunite and isolate their intended victims as to render them defenseless against German aggression. I well remember one conversation I had with Goebbels in the earliest period of the Nazi Government, in which I expressed the opinion that they could never get away with their program in Europe. His reply was "But you don't know what we can do by creating dissension - without anything being done specifically on our part or which can be laid to our door, we will get these people to fight among themselves and so weaken themselves that they will be an easy prey for us". I can still recall the cynical manner in which he specifically indicated the "sore spots" in Austria and in Czechoslovakia and in other countries and on which by insidious means German agents could arouse dissension and get the peoples in the countries themselves disunited.

From surface appearances and judging from historical standards only, the obstacles to the achievement of the Nazi objectives were formidable indeed. Completely aside from the difficulty of bringing about complete coordination within Germany and complete control, and in carrying through such a huge military program, there were these definite obstacles in the political and diplomatic field. In 1933 France was the dominant military power on the Continent. In the interest of security she had formed within the framework of the League of Nations, a system of mutual assistance both in the West and in the East. The Locarno Pact of 1928, supplemented b the Franco-Belgian alliance, guaranteed the territorial status quo in the West. Yugoslovia, Czechoslovakia and Rumania were allied in the Little Entente and each in turn was united with France by mutual assistance pacts. Since 1922, France and Poland had likewise been allied against external aggression. Italy had a special interest in Austrian independence which she made definitely clear. From 1934 to 1936, France and Italy each proposed and endeavored to sponsor political and economic accords to strengthen the powers of resistance of the eastern European countries to German designs. Throughout all of Southeastern Europe, France and Italy both were active through their diplomatic machinery in strengthening the position of these countries and of their independence. The most important of these arrangements were the proposed East Locarno Pact, inspired by France and intended to include all countries in the East, ranging from the Baltic to the Adriatic and Black Sea, and the proposed Danubian Pact which had for its principal objective strengthening the economic position of the countries of Southeastern Europe by promoting mutual trade relations between Austria and the other countries which had recently been part of the Austro-Hungarian Empire.

Nazi Germany launched a vigorous diplomatic campaign to break up these alliances and understandings, to create division among members of the Little Entente and the other Eastern European powers, and to divide all of them from France on whose military power the security of these smaller states in the last analysis rested. To some of these countries, particularly Yugoslavia, Hungary and Poland, Nazi Germany made extravagant and often inconsistent promises

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of territorial and economic rewards as a price for cooperation in the German program of aggression against their neighbors. To other countries, especially France and England, Nazi Germany offered the attractive prize of peace and security as the price of giving Germany a free hand in Southeastern Europe. To allay the fears of its neighbors until Germany had completed its military and diplomatic preparations, Germany cleverly proceeded step by step, always giving solemn assurances that the immediate objective was her last. In making these promises she was uninhibited by any scruples as to the sanctity of international obligations. High ranking Nazis with whom I had to maintain official contact, particularly men such as Goering, Goebbels, Ley, Frick, Frank, Darré and others, repeatedly scoffed at my position as to the binding character of treaties and openly stated to me that Germany would observe her international undertakings only so long as it suited Germany's interests to do so. Although these statements were openly made to me as they were, I am sure, made to others, these Nazi leaders were not really disclosing any secret for on many occasions they expressed the same ideas publicly.

In this specific connection I quote from a letter which I wrote to Under Secretary of State Phillips in Washington, dated March 24, 1934:

> "Her (Germany's) agreement with Poland is only one of a series of agreements which she would like to make to follow out her policy of gaining time and allaying suspicion, but when one realizes what a callous attitude those in power here take now towards agreements of any kind, and hears what they have to say about them, one realizes that they mean nothing more than what they are intended for, i.e. a part of her policy to keep the peace and maintain the status quo until she is prepared to gain her ends through force if they cannot be achieved otherwise".

In the last analysis, however, it was not faith in Germany's promises but fear of German might and possible aggressive action which induced Germany's neighbors, particularly the small ones, to progressively acquiesce in her designs. The huge German rearmament program, which was never a secret, and which was openly announced in the spring of 1935, and Germany's reoccupation of the Rhineland, all done with only mild protests from France and England, and the failure of the League to stop Mussolini's Abyssinian adventure, convinced the peoples of the smaller countries of Eastern Europe that France either could not or would not resist German expansion in the East, that England would not take any positive steps to stop Germany, and that the only thing that was left to them was to make the best possible deal with Nazi Germany.

These considerations to be sure did not convince all people and all political leaders among Germany's neighbors. The Nazis made plain, however, that any opposition which remained would be helpless. She continued the program of stirring up internal dissensions wherever they existed in other countries and openly aided sympathetic Nazi and Fascist and anti-Government groups, particularly in Yugoslavia, Hungary, Rumania, Austria and Czechoslovakia.

Such briefly was the general plan of "German diplomacy" and political action and economic action during these years. I had occasion to follow the details of its operation from close observation during the years 1933 to 1937.

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Austria and Czechoslovakia were the first on the German program of aggression. As early as 1934, Germany began to woo neighbors of these countries with promises of a share in the loot. To Yugoslavia in particular they offered Carinthia. Concerning the Yugoslav reaction, I reported at the time:

> "...The major factor in the internal situation in the last week has been the increase in tension with respect to the Austrian Nazi refugees in Yugoslavia. ... There is very little doubt but that Goering, when he made his trip to various capitals in Southeastern Europe about six months ago, told the Yugoslavs that they would get a part of Carinthia, when a National Socialist Government came into power in Austria. ... The Nazi seed sown in Yugoslavia has been sufficient to cause trouble and there are undoubtedly a good many people there who look with a great deal of benevolence on those Nazi refugees who went to Yugoslavia in the days following July 25."

Germany made like promises of territorial gains to Hungary and to Poland in order to gain their cooperation or at least their acquiescence in the proposed dismemberment of Czechoslovakia. As I learned from my diplomatic colleagues in Vienna, von Papen and von Mackensen in Vienna and in Budapest in 1935, were spreading the idea of division of Czechoslovakia, in which division Germany was to get Bohemia, Hungary to get Slovakia, and Poland the rest. This did not deceive any of these countries for they knew that the intention of Nazi Germany was to take all.

The Nazi German Government did not hesitate to make inconsistent promises when it suited its immediate objectives. I recall the Yugoslav Minister in Vienna saying to me in 1934 or 1935, that Germany had made promises to Hungary of Yugoslav territory while at the same time promising to Yugoslavs portions of Hungarian territory. The Hungarian Minister in Vienna later gave me the same information.

I should emphasize here in this statement that the men who made these promises were not only the died-in-the-wool Nazis but more conservative Germans who already had begun to willingly lend themselves to the Nazi program. In an official despatch to the Department of State from Vienna dated October 10, 1935, I wrote as follows:

> "....Europe will not get away from the myth that Neurath, Papen, and Mackensen are not dangerous people and that they are 'diplomats of the old school'. They are in fact servile instruments of the regime and just because the outside world looks upon them as harmless, they are able to work more effectively. They are able to sow discord just because they propagate the myth that they are not in sympathy with the regime."

At this point in this statement I should set forth the following. When the Nazi Party took over in Germany it represented only a small part of the German population. It dominated all of Germany and rapidly assured itself of that domination by means of organization and terror, the details of which are an historical record and need not be set forth here. At the beginning of 1933, although a few of the Nazi leaders, such as Hitler and Hess and Goering, recognized the idea of world domination, they spoke little of it. At the beginning the great mass of the Party and the regime

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itself had for its open objective the domination of Southeastern Europe. Literally this meant to them at the outset absorption of Czechoslovakia and Austria and complete political and economic control of the other countries down to Turkey. They always excluded mentioning Turkey so as not to greatly disturb Great Britain. As the domination of the Germans increased within Germany as the military program progressed and as the German people increasingly became imbued with the Nazi spirit, and more rapidly than even the most fanatic Nazis had believed possible, their power increased incredibly within and without Germany. Within Germany there was an attitude of complete apathy so far as resistance was concerned. Without Germany in the smaller countries which felt themselves threatened, the fear constantly became greater. It was this growing sense of power and the realization of the fear and lack of measures of resistance from the outside that rapidly caused the Nazi idea to expand with respect to domination over Europe and in fact over the world.

In this connection it must also be borne in mind that most of the higher officers of the German Army during the first years of the Nazi regime lent their aid to the Nazi regime only because they believed that under such a regime they would be able to rebuild the German Army which they had not been able to do under previous German Governments and thus restore the power of Germany in Europe and in the world. At the outset it is probable that only a few of these Generals shared the territorial aggressive idea of the Nazis, but increasingly as the Army saw its power growing from the lower ranks to the upper they became imbued with these aggressive designs just as much as the Nazis.

For a time France and Italy endeavored to counter these moves by Germany, described in the preceding paragraphs. In 1934, Barthou, the very able and discerning French Foreign Minister, endeavored to promote an East Locarno Pact to guarantee the territory of all the Eastern and Southeastern European countries and to provide a guarantee against external aggression by mutual assistance pacts supported by France and Russia. France also continued her efforts to foster an economic accord between Austria and the other Danubian powers which had previously been members of the Austro-Hungarian Empire, while Italy sought to organize a more limited economic bloc of Austria, Hungary and Italy.

The Nazi German Government made every effort to prevent the carrying through of these accords. To Yugoslavia, for example, Germany made promises of support for Yugoslavia's ambitions with regard to Italian territory, particularly Trieste, as well as to a share of Austria. Germany's object was by sowing discord between Yugoslavia and Italy to prevent France from reaching an agreement with both of them and hence to frustrate all hopes of bringing an East Locarno Pact into being. In October 1934, I reported from Vienna, as follows:

> "...The Foreign Minister called attention to the reports which they have with respect to the intensive diplomatic activities of Germany in Warsaw, in Belgrade, in Sofia, and in Budapest. They have information, he told me, from a very reliable source that the present German policy is to create hopes and unrest, particularly in Belgrade and Sofia, so that when King Alexander goes to Paris he will face the French with a situation which will make it impossible for them to reach any agreement with Italy. The Wilhelmstrasse believes, according to the Minister's information, that if Barthou has no success at Rome the present French Ministry will

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have to resign on his return and a stronger left Ministry formed, with which the Wilhelmstrasse can reach some agreement. The Foreign Minister said that he did not think the Germans would succeed in this, or that a failure of the French-Italian conversations would necessarily result in a change in the French Cabinet. He did say, however, that the French-Italian agreement would be difficult because he had just learned this morning that King Alexander had been very successful during his Sofia visit which ended just a few days ago..."

To offset any moves in the direction of economic cooperation among the Danubian States, Germany made lavish but frankly insincere promises of economic support, on condition of cooperation with her. During my tour of duty in Germany, a Nazi economist named Deutz (I believe this is the correct spelling of his name) sought me out frequently. He did not occupy a very high position in the Government but was used as one of the active instruments by high Nazi leaders in Southeastern Europe. He made frequent trips to Yugoslavia, to Hungary and also on occasion to Rumania. For some reason which I could never fully determine he sought me out frequently and on returning from these trips he would tell me frankly what he had been doing and of the promises he had made of economic gains as reward for cooperating with Germany. At the same time, he, of course, cynically told me that Germany had no intention of carrying through these promises and remarked: "how dumb these people are to believe in such promises".

At the same time that Germany held out such promises of reward for cooperation in her program, she stirred up internal dissensions within these countries thsmselves and in Austria and Czechoslovakia in particular, all of which was designed to so weaken all opposition and strengthen the pro-Nazi and Fascist groups as to insure peaceful acquiescence in the German program. Her machinations in Austria I have related in detail, as they came under my direct observation, in a separate affidavit. In Czechoslovakia they followed the same tactics with the Sudeten Germans. I was reliably informed that the Nazi Party spent over 6,000,000 marks in financing the Henlein party in the elections in the spring of 1935 alone. In Yugoslavia she played on the old differences between the Croats and the Serbs and the fear of the restoration of the Hapsburgs in Austria. It may be remarked here that this latter was one of the principal instruments and most effective ones which Nazi Germany used as the fear in Yugoslavia, in particular, of a restoration of the Hapsburgs was very real. In Hungary she played upon the agrarian difficulties and at the same time so openly encouraged the Nazi German elements *in* Hungary as to provoke the Government of Hungary to demand the recall of van Hackensen in 1936. In Hungary and in Poland she played on the fear of Communism and communist Russia. In Rumania she aggravated the existing anti-semitism, emphasizing the important role of the Jews in Rumanian industry and the Jewish ancestry of Lupescu. Germany undoubtedly also financed the Fascist Iron Guard through Codreneau.

Such "diplomatic" measures reinforced by Germany's vast rearmament program had a considerable effect, particularly in Yugoslavia, Poland and Hungary, and sufficient at least to deter these countries from joining any combination opposed to German designs, even if not enough to persuade them to actively ally themselves with Nazi Germany. Important political leaders of Yugoslavia began to become convinced that the Nazi regime would remain in power and would gain its ends and that the course of safety for Yugoslavia was to play along with Germany. This became so obvious from direct information which I had that I wrote in September 1934, from Vienna, as follows:

"...The attitude of the Yugoslavs has been most disturbing. There is no question but that the Germans have complicated the already difficult problem existing between Italy and Yugoslavia by promising the Yugoslavs territorial and other advantages. There are a lot of people in Yugoslavia who feel that the present Government in Germany will stay, that it will be able to force its will on the rest of Europe and that their best bet is to play with Germany for they will get most out of it in that way in the end. This section of opinion in Yugoslavia believes that Austria will eventually succumb to Germany and that when this comes Yugoslavia will get a good slice of present Austrian territory and in addition have German support against Italy which will eventually lead to her realizing what now seems unrealizable aspirations in other directions. This sentiment in Yugoslavia explains the benevolent attitude shown towards the Nazi refugees from Austria after July 25. Yugoslavia is therefore definitely playing the dog in the manger. She will not break with France for the present and burn her bridges there, nor with the other States of the Little Entente, but she is definitely playing with Germany and it would appear that at the moment is inclined to place more dependence of Germany than on French help. The attitude of Poland has naturally encouraged Yugoslavia and what they believe to be the wavering attitude of Hungary is an additional element of encouragement to them..."

In Hungary the same attitude was becoming increasingly obvious. In the same letter I wrote from Vienna in September 1934, with respect to developments in Hungary, I quote as follows:

"...In Hungary the revisionist feeling is stronger than perhaps in any of the other Succession States, and it is this feeling which has the major influence in shaping Hungarian policy. Hungary has been flirting with Germany for some time as you know, but doing it very discreetly. The Hungarians feel very friendly towards Austria. They much prefer to see Austria independent. They don't want German domination in Austria or Southeastern Europe. They infinitely prefer the status quo, even without the treaty revision, to German domination in Austria and eventually over them. But they fear Germany and they are afraid that the present Government in Germany will be able to maintain itself, and this means in their minds definite German penetration to the Southeast. The events of June 30 and July 25 caused a real revulsion of feeling in Hungary and strengthened the feeling that they wanted to see Austria remain independent, but the feeling of fear of Germany has more recently made headway again.

"Kanya, the Foreign Minister, was in Berlin, I think now several months ago, and I know that he saw Hitler, Schacht, Neurath, and Blomberg. He came back to Hungary with the feeling that the present regime would be able to maintain itself, and strengthened therefore in his policy of maintaining an equivocal position. Hungary therefore must be considered among the States constantly wavering and endeavoring to carry water on both shoulders..."

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Poland, prompted by her territorial designs on Teschen, and fearful of being caught in a war between Germany and Russia, almost openly began to follow the German line, and particularly with respect to the dismemberment of Czechoslovakia. In the fall of 1935, I reported from Vienna in this connection as follows:

> "...The part which Poland is playing at this time and has been playing for some months is a very dangerous one and, in the opinion of many, not a creditable one. Poland owes her existence to France and England, and it was Czechoslovakia, whose country they now want to help divide up, who helped to make possible the new Poland. In her eagerness for prestige and additional territory she is willing to turn on her old friends and to play a rather sorry role...
>
> "...The Czechoslovakian Minister here informs me that Czechoslovakia has an arbitration treaty with Poland which in the first paragraph covers all disputes which might arise. When some time ago the Poles arbitrarily dismissed some twenty Czechs from responsible positions in Poland and no arrangement of the difficulties could be found, the Czech Government proposed arbitration, and to this day the Polish Government has not replied and refused to take any action. The Poles have an air line between Warsaw and Vienna which passes over Czechoslovakia, and when that was instituted the Czechs agreed with the reservation that when they wished to institute a line over Poland the Poles would agree. The Polish line has been in operation for some time, and when the Czechs recently wished to institute a commercial line over Poland the Poles refused to give permission. The Czechs retaliated by taking action which stopped the Polish Vienna-Warsaw route. It is well known that the Czechs are giving the Polish minorities in Czechoslovakia schools, etc., while the Poles are refusing to do anything of this kind for the Czechs in Poland. It seems to be a deliberate dog-in-the-manger policy which cannot give any confidence in the Polish procedure..."

The effect was to make these countries apathetic to the annexation of Austria and cooperative in the dismemberment of Czechoslovakia. I reported in October 1935, in this respect as follows:

> "...Yugoslavia, because of the fear of her minorities, prefers Anschluss to Hapsburg restoration in Austria, in the vain hope that this might avoid catastrophe for her. Anschluss would not avoid catastrophe for Yugoslavia, but only postpone it and make it more sure. Hungary remains fundamentally pro-German, due to the false idea that her revisionist hopes will get satisfied in that direction sooner than others. She does not realize that the revisionist satisfaction which she hopes to get from Germany would only be the forerunner of later loss of sovereignty. The fact that there are Hungarians who realize that this turning to Berlin is the sure road to ruin does not keep Hungary from putting her foot on this road.
>
> "Because Czechoslovakia has entered into a military agreement with Russia, and Rumania is about to do the

same, and Yugoslavia is considering it, Berlin is trying to convince Poland and Hungary that this is a Soviet threat to them. The real object, of course, is to get their cooperation in the disintegration of Czechoslovakia and the fastening of the yoke on Austria as the first step towards progress to the Southeast..."

As the Nazi leaders of Germany realized, however, that these limited and uncertain gains were not sufficient to insure the success of her program, they did not lessen their rearmament at home so as to increase terror and fear. Austria and Czechoslovakia might easily have been saved and her neighbors persuaded to combine with them in mutual self defense if England and France at that time, with or without Italy's assistance, had shown adequate evidence of resisting the German program. Nazi leaders at that time were most insistent and persistent in endeavoring to determine the reactions to their program in Italy and in France and to a certain extent in the United States. They were eager to know to what degree these countries would resist their program. They had no regard as to what the smaller countries of Europe might feel or think or do. Their physical power was already so great that that was no longer a matter of concern to them. I recall conversations with Nazi leaders at this stage, when I happened to see them in Germany on trips from Vienna to Berlin, during which they showed a childish eagerness to get my reaction to what they were doing and when I told them that they were precipitating a war in which Germany would be defeated and her power in Europe destroyed, not for generations but perhaps for centuries, they laughed in my face and said that England and France and we would do nothing and they knew it.

Germany succeeded in preventing any such combinations by creating divisions and by persuading France and England to acquiesce, as the price of peace, in the German expansion in Southeastern Europe, in exchange for precarious security in the West.

While Italy openly opposed efforts at Anschluss with Austria in 1934, Italian ambitions in Abyssinia provided Germany with the opportunity to sow discord between Italy and France and England and to win Italy over to acceptance of Germany's program in exchange for German support of Italy's plans in Abyssinia. The Nazis made little effort to conceal their motives in supporting Italian colonial adventures. In the summer of 1935, I was informed by a person whose name I do not recall at this time but who was thoroughly informed as to all developments in Germany, that the Nazis were eagerly awaiting an Italian-Abyssinian war to give them a free hand in Central Europe. I reported at the time:

"...He emphasized that in the party it was definitely reckoned with that war between Italy and Abyssinia was inevitable, and that this would cause disturbances in the European situation which the regime felt it must be free to reap all benefit from..."

Germany, of course, did take advantage of the situation to force Austria into the July 11, 1936 accord, which, as I have explained in a separate affidavit, was the first critical step in the disintegration and eventual downfall of Austria.

The Nazis fully realized, however, the necessity for the neutralization of France and England, as a part of their strategic preparation for war, and they left no stone unturned to achieve it. Almost from the beginning of the Hitler regime, the Nazis sought to make a deal with France. The terms of the deal with France were

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security for France in the West in exchange for freedom of action for Germany in the East. Very soon after coming to power, Hitler announced that apart from the Saar, Germany coveted no territory of France and thereafter he often repeated these assurances, particularly on the occasion of each new treaty violation or act of aggression in the East. Acceptance of the deal would of course reduce France to a second-rate power. To gain French acquiescence, the Nazis made powerful appeals to all classes of French society. To the left, they played on the profound pacifist sentiment of the masses. To the right, they emphasized the fear of communism, fears which took several forms, either that the Nazis, after the reoccupation of the Rhineland, were invulnerable in the West and could be stopped in the East only by the Red army, or conversely (after the purge of the Russian army in 1937) that Russia could not fight Germany, but intended to let France and England exhaust themselves in a war with Germany and then arise in the end the only victor.

To England, the Nazis made substantially the same arguments, and appealed in addition to those who disapproved of French military hegemony and the alleged inequalities of the Versailles Treaty. As an evidence of their alleged desire to reach a permanent understanding with England, Germany "accepted" a naval limitations treaty and dangled before the eyes of the British Government the prize of a Locarno Air Pact.

In order to assure wider acceptance of these arguments, Germany did not hesitate to attempt to arrange to involve England and France elsewhere in order to give Germany a freer hand in Eastern Europe. Germany actively supported Italy in both her Abyssinian and Spanish adventures, thereby embroiling Italy with France and England. By means of an understanding with Italy announced in 1936, and by the formation of the anti-Comintern Pact with Japan at about the same time, Germany created such potential dangers for England in the Mediterranean and in the Far East as to discourage England from continuing to maintain the commitments undertaken by her in Eastern Europe.

These German measures with respect to France and England were surprisingly effective. The French Ambassador in Berlin, M. Francois Poncet, who was married to a member of one of the powerful industrial families of France, was persuaded that German military might could not be matched and as I learned from friends in the French Foreign Office, sent home many defeatist reports. As early as the fall of 1935, I learned from these same friends and others that France was preparing to abandon its commitments in the Southeastern part of Europe in exchange for promises of security within her own borders. The Nazis appeared to have equal success in undermining British sentiment. The "conversion" of Lord Lothian and the attitude of the London Times beginning in 1935 are a matter of historical record. The attitude of such conservatives was naturally reflected in British diplomacy.

Germany was ready. She had completed her rearmament program. She had sown discord among her intended victims in Eastern Europe.

She had won tacit English and French acceptance for German expansion in the East in exchange for a promise of peace in the West. Germany was ready now to march. The rest is written history.

/s/George S. Messersmith

Subscribed and sworn to before me, William L. Brewster, a Vice Consul of the United States of America, duly commissioned, and qualified, in Mexico, D. F., Mexico, this 30th day of August, 1945.

/s/ William L. Brewster

William L. Brewster
Vice Consul of the United States
of America

Service No. 5809
Tariff No. 38
No fee prescribed.

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PARTIAL TRANSLATION OF DOCUMENT 1780-PS
OFFICE OF U S CHIEF OF COUNSEL

Translation of Excerpts from Jodl Diary

1937

4 February:

Decisive conference about the scarcity of raw materials by the Commissioner of four-year plan.

Only 50% of steel and iron available, therefore rationing necessary. Full allotment only for export. Armed forces and constructions for four-year plan must be cut down by about 40%. Therefore, requests for money have to be converted into requirements for raw materials. Three branches of the Armed Forces and L. for R.V. special resources must make up a priority sequence. Until further notice no more orders to be placed with industry so they will have a chance to fill the many orders previously placed with them.

The sentence "Money is an unimportant factor" has come true, even in another sense. The main part is the raw materials.

Bad harvest and (illegible), especially bread grain (Brotgetreide), demand considerable use of foreign currency for the feeding of the people.

31 March:

Report to the Minister about the maneuvers of the Armed Forces. The Field Marshal emphasized the necessity to bring some influence to bear (on the maneuvers) in so far as a special Armed Forces problem has to be dealt with daily. These exercises are to be designated as "Armed Forces Maneuvers" (army, etc.). After two years, a two front war, i.e., two maneuvers, should be presented.

5 November:

Hitler develops his ideas of future development, intentions, and conduct of policy to the Commanders-in-Chief of the Armed Forces, the Army, the Navy and the Air Force.

There is a divergence in the recording of his ideas as made by the Chief of the Armed Forces Office (War Department) (des Chef WA (R Kr. Min)) and by Commander-in-Chief of the Air Force (Directive to the Chief of the General Staff of Air Force). (No minutes were kept).

Intention of L to put ideas on paper and transmit them to the services (C-in-C, Air Force); furthermore, to incorporate them into mobilization instructions.

1938

11 February:

In the evening and on 12 February General K. with General V. Reichenau and Sperrle at the Obersalzberg. Schuschnigg together with G. Schmidt are again being put under heaviest political and military pressure. At 2300 hours Schuschnigg signs protocol.

13 February:

In the afternoon General K. asks Admiral C. and myself to come to his apartment. He tells us that the Fuehrer's order is to the effect that military pressure by shamming military action should be kept up until the 15th. Proposals for these deceptive maneuvers are drafted and submitted to the Fuehrer by telephone for approval.

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14 February:

At 2:40 o'clock the agreement of the Fuehrer arrives. Canaris went to Munich to the Counter-Intelligence office VII and initiates the different measures.

The effect is quick and strong. In Austria the impression is created that Germany is undertaking serious military preparations.

15 February:

In the evening an official communique about the positive results of the conference at the Obersalzberg is issued.

16 February:

Changes in the Austrian government and general political amnesty.

22 February:

At 1300 hours General K. sees the Fuehrer in order to inform him about the planned advances (vorstosse).

3 March:

The Austrian question is becoming critical. 100 officers shall be dispatched there. The Fuehrer wants to see them personally. They should not see to it that the Austrian Armed Forces will fight better against us, but rather that they do not fight at all.

10 March:

By surprise and without consulting his ministers, Schuschnigg ordered a plebiscite for Sunday, 13 March, which should bring strong majority for the Legitimists in the absence of plan or preparation.

Fuehrer is determined not to tolerate it. The same night, March 9 to 10, he calls for Goering. General v. Reichenau is called back from Cairo Olympic Committee. General v. Schebert is ordered to come, as well as Minister Glaise Horstenau, who is with the District leader (Gauleiter) Burckel in the Palatinate. General Keitel communicates the facts at 1:45. He drives to the Reichskanzlei at 10 o'clock. I follow at 10:15, according to the wish of General v. Viebahn, to give him the old draft.
"Prepare case Otto."

1300 hours: General K informs Chief of Operational Staff (and) Admiral Canaris. Ribbentrop is being detained in London. Neurath takes over the Foreign Office.

Fuehrer wants to transmit ultimatum to the Austrian Cabinet. A personal letter is dispatched to Mussolini and the reasons are developed which force the Fuehrer to take action.

1830 hours: Mobilization order is given to the Command of the 8th Army (Corps Area 3), 7th and 13th Army Corps; without reserve Army.

Air puts 300 JU-52 in readiness for dropping of propaganda pamphlets. In addition, one Pursuit Squadron (Jagdgruppe), 3 bomber groups (Kampfgeschwader) and two companies as airborne troops with transport planes are held ready at civilian airports (Friedensflugplatze) in Bavaria.

Subordinated to the Army are: one commander of the Air Force, 2F, 3H Squadrons, courier squadron, 1 heavy AA Bn., Regt General Goering.

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11 March:

Instruction No. 1 of the Fuehrer is given on 11 March at 2:00 without signature; at 1300 hours with his signature.

The Army is joined by the SS Military Units (V.T.) by regiments, 40,000 men of the police and the Totenkopf Unit Upper-Bavaria as second wave.

1700 hours: The Navy has ordered all ships back home.

1800 hours: Schuschnigg has resigned; Seyss-Inquart is chancellor. SA and SS perform duty in uniform. Own movements have commenced. Frontier will not be crossed at the moment. Air Force plans large scale propaganda flights for tomorrow. The police force will be needed in any case and will be mixed with the troops.

1235 hours: Department L. has been informed. Colonel Winkler and Oberfuehrer Petri have also been informed. The Air Force has its doubts if it should initiate the movements that have not yet started.

Decision: yes.

2030 hours: Briefing received from Major General Viebahn that the situation has changed once more. The occupation will take place.

Later undated entry.

After annexation of Austria, the Fuehrer mentions that there is no hurry to solve the Czech question because Austria has to be digested first. Nevertheless preparations for Case Green will have to be carried out energetically; they will have to be newly prepared on the basis of the changed strategic position because of the annexation of Austria. State of preparations (see memorandum L I a of 19 April) reported to the Fuehrer on 21 April.

The intention of the Fuehrer not to touch the Czech problem as yet is changed because of the Czech strategic troop concentration of 21 May, which occurs without any German threat and without the slightest cause for it.

Because of Germany's self restraint, its consequences lead to a loss of prestige of the Fuehrer, which he is not willing to take once more. Therefore, the new order is issued for "green" on 30 May.

22 May:

Fundamental conference between the Fuehrer and K. Henlein (see enclosure).

23 May:

Major Schmundt reports ideas of the Fuehrer. Further conferences, which gradually reveal the exact intentions of the Fuehrer take place with the Chief of the Armed Forces High Command (OKW) on 28 May, 3 and 9 June, see enclosures. (War Diary L)

30 May:

The Fuehrer signs directive Green, where he states his final decision to destroy Czechoslovakia soon and thereby initiates military preparation all along the line. The previous intentions

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of the Army must be changed considerably in the direction of an immediate break-through into Czechoslovakia right on D-Day (X-Tag), combined with aerial penetration by the Air Force. Further details are derived from directive for strategic concentration of the army. The whole contrast becomes acute once more between the Fuehrer's intuition that we must do it this year and the opinion of the Army that we cannot do it as yet, as most certainly the Western Powers will interfere and we are not as yet equal to them.

10 August:

The Army chiefs and the chiefs of the Air Force groups, Lt. Col. Jeschonnek and myself are ordered to the Berghof. After dinner the Fuehrer makes a speech lasting for almost three hours, in which he develops his political thoughts. The subsequent attempts to draw the Fuehrer's attention to the defects of our preparation, which are undertaken by a few generals of the Army, are rather unfortunate. This applies especially to the remark of General Wietersheim, in which to top it off he claims to quote from General Adams (die er noch dazu dem General Adams in den Mund legt) that the western fortifications can only be held for three weeks. The Fuehrer becomes very indignant and flames up, bursting into the remark that in such a case the whole Army would not be good for anything. "I assure you, General, the position will not only be held for three weeks but for three years." The cause of this despondent opinion, which unfortunately is widely held very widely within the Army General Staff, is based on various reasons. First of all, it (the General Staff) is restrained by old memories; political considerations play a part as well, instead of obeying and executing its military mission. That is certainly done with traditional devotion, but the vigor of the soul is lacking because in the end they do not believe in the genius of the Fuehrer. And one does perhaps compare him with Charles XII. And since water flows downhill, this defeatism may not only possibly cause immense political damage, for the opposition between the Generals' opinion and that of the Fuehrer is common talk, but may also constitute a danger for the morale of the troops. But I have no doubt that (?) the Fuehrer will be able to boost the morale of the people in an unexpected way when the right moment comes.

24-26 August:

Visit to Germany of the Hungarian Regent (Reichsverweser). Accompanied by the Prime Minister, the Minister of Foreign Affairs and the Honved Minister v. Raatz (?).

They arrive with the idea, that in the course of a great war, after a few years, and with the help of German troops, the old state of Hungary can be reestablished. They leave with the understanding that we have neither demands from, nor claims against them, but that Germany will not stand for a second provocation by Czechoslovakia, even if it should be tomorrow. If they want to participate at that moment, it is up to them.

Germany, however, will never play the role of arbitrator between them and Poland. The Hungarians agree; but they believe that, when the issue arises, a period of 48 hours would be indispensable to them to find out Yugoslavia's attitude.

6 September:

Chief of General Staff, General of Artillery Halder, has a conference with the Hungarian Chief of General Staff Fischer.

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Before that he is briefed by me on the political attitude of the Fuehrer - especially his order not to give any hint on the exact moment. The same with OQI, General v. Stuelpnagel.

8 September:

General Stulpnagel OQI asks for written assurance that the Army High Command will be informed five days in advance if the plan is to take place. I agree and add that the overall meteorological situation can be estimated to some extent only for two days in advance, and that therefore the plans may be changed up to this moment (D-day-2) (X-2 TAGE).

General Stulpnagel mentions that for the first time he wonders whether the previous basis of the plan is not being abandoned. It presupposed that the Western Powers would not interfere decisively. It gradually seems as if the Fuehrer would stick to his decision even though he may no longer be of this opinion. It must be added that Hungary is at least moody and that Italy is reserved.

I must admit that I am worrying too, when comparing the change of opinion about political and military potentialities, according to directives of 24 June, 5 Nov 37, 7 Dec 37, 30 May 38, with the last statements.

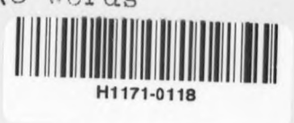
In spite of that one must be aware of the fact that the other nations will do everything they can to apply pressure to us. We must pass this test of nerves, but because only very few people know the art of withstanding this pressure successfully, the only possible solution is to inform only a very small circle of officers of news that causes us anxiety, and not to have it circulate through anterooms as heretofore.

1800 hours to 2100 hours: Conference with Chief of Army High Command and Chief of General Staff of the Air Force (present were Jeschonnek, Kammhuber, Sternburg and myself).

We agree about the promulgation of the D-Day order (X-Befehl) (x-1, 4 o'clock) and preannouncement to the Air Force (D-Day-1, x-1 day, 7 o'clock). The "Y time" has yet to be examined; some formations have an approach flight of one hour.

10 September:

General Halder back from Nurnberg. He reports that the Fuehrer signed decree subordinating the Reich Labor Service to the Army High Command, as of 15 September. Furthermore it was decided that the 13th and 2nd motorized divisions would join the Reichenau Army and their place would be taken by two other divisions (3 words illegible).



11 September:

In the afternoon conference with Secretary of State Jahnke from the Ministry of Public Enlightenment and Propaganda on imminent common tasks.

The joint preparations for refutation (wiederlegung) of our own violations of international law, and the exploitation of its violations by the enemy, were considered particularly important.

15 September:

In the morning conference with Chief of Army High Command and Chief of General Staffs of Army and Air Forces; the question was discussed what could be done if the Fuehrer insists on advancement of the date, due to the rapid development of the situation.

16 September:

General Keitel returns from the Berghof at 1700 hours. He graphically describes the results of the conference between Chamberlain and the Fuehrer. The next conference will take place on the 21st or the 22nd in Godesberg.

With consent of the Fuehrer, the order is given in the evening by the Armed Forces High Command to the Army High Command and to the Ministry of Finance, to line up the V.G.A.D. along the Czech border.

In the same way, an order is issued to the railways to have the empty rolling stock kept in readiness clandestinely for the strategic concentrations of the Army, so that it can be transported starting 28 September.

17 September:

Contrary to the previous intention to transfer all Sudeten Germans with previous military training to the Replacement Army, the Fuehrer issues order to unite them into a Sudeten German Free Corps. The Armed Forces High Command puts Lt. Col. Koechling (reporter on youth questions) at the disposal of Konrad Henlein as advisor to Henlein.

19 September:

Order is given to the Army High Command to take care of the Sudeten German Free Corps.

20 September:

England and France have handed over their demands in Prague, the contents of which are still unknown. The activities of the Free Corps start assuming such an extent that they may bring about, and already have brought about consequences harmful to the plans of the Army. (Transferring rather strong units of the Czech Army to the proximity of the border). By checking with Lt. Col. Koechling, I attempt to lead these activities into normal channels.

Toward the evening the Fuehrer also takes a hand and gives permission to act only with groups up to 12 men each, after the approval of the Corps HQ.

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21 September:

The motorized reinforcements by the L. take effect.

1130 hours: Telephone call from the Adjutant of the Fuehrer, Captain Engel, (it is submitted during the conference with the Chiefs by Captain Eberhardt). "The Fuehrer has received news five minutes ago that Prague is said to have accepted unconditionally."

1245 hours: Department heads are informed and directive is given to continue preparation for "Green", but nevertheless to get ready with everything necessary for a peaceful penetration. Orders to the Ic and Ib of Navy High Command and Chief of General Staff of the Air Force; General Stumpf to be informed.

22 September:

1920 hours: Ia reports about a telephone call from Godesberg by General von Stulpnagel on behalf of Keitel. Subject: a) Date cannot yet be ascertained (D-Day)(x- Tag); continue preparations according to plan. In case "Green" occurs, it will not be before 30 September. If it occurs sooner, it will probably be improvised.

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25 September:

By order of the Fuehrer, two Death Head (Totenkopf) SS battalions have moved into the Panhandle territory near Asch (Ascher Zipfel) to the rear of the Free Corps.

26 September:

Chief of the Armed Forces High Command, acting through the Army High Command, has stopped the intended approach march of the advance units to the Czech border, because it is not yet necessary and because the Fuehrer does not intend to march in before the 30th in any case. Order to approach towards the Czech frontier need be given on the 27th only.

In the evening of the 26th, fixed radio stations of Breslau, Dresden and Vienna are put at the disposal of the Reich Ministry for Popular Enlightenment and Propaganda for interference with possible Czech propaganda transmissions.

Question by department "Foreign Countries" whether Czechs are to be allowed to leave and cross Germany. Decision from Chief of the Armed Forces High Command: yes.

1515 hours: The Chief of the Armed Forces High Command informs General Stumpf about the result of the Godesberg conversations and about the Fuehrer's opinion. In no case will x day be before the 30th.

It is important that we do not permit ourselves to be drawn into military engagements because of false reports, before Prague replied.

A question of Stumpf about Y hour results in the reply that on account of the weather situation, a simultaneous intervention of the Air Force and Army cannot be expected. The Army needs the dawn, the Air Force can only start later on account of frequent fogs.

The Fuehrer has to make a decision for the commanders in chief who is to have priority.

The opinion of Stumpf is also that the attack of the Army has to proceed. The Fuehrer has not made any decision as yet about commitment against Prague.

2000 hours: The Fuehrer addresses the people and the world in an important speech at the Sportpalast..

27 September:

1320 hours: The Fuehrer consents to the first wave of attack being advanced to a line from where they can arrive in the assembly area by 30 September.

28 September:

Stapf (?) reports about a conference with Goering where the latter states that a Great War can hardly be avoided any longer. It may last 7 years, and we will win it.

1700 hours: Tension relaxes. The Fuehrer has decided on a conference with Chamberlain, the Duce and Daladier in Munich.

H1171-0120

PARTIAL TRANSLATION OF DOCUMENT NO. 1780-PS. Continued. 122

29 September:

The pact of Munich is signed. Czechoslovakia as a power is out. Four zones as set forth will be occupied between the 2nd and 7th of October. The remaining part of mainly German character will be occupied by the 10th of October. The genius of the Fuehrer and his determination not to shun even a World War have again won the victory without the use of force. The hope remains that the incredulous, the weak and the doubtful people have been converted and will remain that way.

1939

23 August:

Received order from Armed Forces High Command to proceed to Berlin and take over position of Chief of Armed Forces Executive Office. (WFA).

1100 hours-1330 hours: Discussions with Chief of Armed Forces High Command. X day has been announced for 26 August. Y time has been announced for 0430 hours.

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CERTIFICATE OF PARTIAL TRANSLATION OF DOCUMENT NO. 1780-PS.

22 November 1945

I, Ludwig Hartman, T/4, 37446052, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of excerpts in Document No. 1780-PS.

Ludwig Hartman
T/4
37446052

H1171-0121

GERMAN ASSURANCE TO CZECHOSLOVAKIA, MARCH 11, 1938.

No. 76.

(R 2524/162/12)

M. Masaryk to Viscount Halifax - (Received March 12)

London, March 12, 1938.

My Lord,

I have reported to my Government the interview which you were good enough to grant me today.

I have in consequence been instructed by my Government to bring to the official knowledge of His Majesty's Government the following facts: Yesterday evening (the 11th March) Field-Marshal Göring made two separate statements to M. Mastny, the Czechoslovak Minister in Berlin, assuring him that the developments in Austria will in no way have any detrimental influence on the relations between the German Reich and Czechoslovakia, and emphasising the continued earnest endeavour on the part of Germany to improve those mutual relations.

In the first statement the Field-Marshal used the expression: "Ich gebe Ihnen mein Ehrenwort".

In the second statement Field-Marshal Göring asserted that, having given his own word previously, he was now able to give the word of the head of the State, who had authorised him to take over temporarily his official duties. He then repeated the above assurances.

To-day (the 12th March) Field-Marshal Göring asked M. Mastny to call on him, repeated yesterday's assurances and added that the German troops, marching into Austria, have strictest orders to keep at least 15 kilom. from the Czechoslovak frontier; at the same time he expressed the hope that no mobilisation of the Czechoslovak army would take place.

M. Mastny was in a position to give him definite and binding assurances on this subject, and today spoke with Baron von Neurath, who, among other things, assured him on behalf of Herr Hitler that Germany still considers herself bound by the German-Czechoslovak Arbitration Convention concluded at Locarno in October 1925.

M. Masthy also saw today Herr von Mackensen, who assured him that the clarification of the Austrian situation will tend to improve German-Czechoslovak relations.

The Government of the Czechoslovak Republic wish to assure His Majesty's Government that they are animated by the earnest and ardent desire to live in the best possible neighbourly relations with the German Reich. They cannot, however, fail to view with great apprehension the sequel of events in Austria between the date of the bilateral agreement between Germany and Austria (11th July, 1936), and yesterday (11th March 1938).

I have, etc.

JAN MASARYK.

H1171-0122

English Translation, TC 50

PROCLAMATION OF THE FUEHRER TO THE GERMAN PEOPLE
15th MARCH 1939

To the German People -

Only a few months ago Germany was compelled to protect her fellow-countrymen, living in well-defined settlements, against the unbearable Czechoslovakian terror regime; and during the last weeks the same thing has happened on an ever increasing scale. This is bound to create an intolerable state of affairs within an area inhabited by citizens of so many nationalities.

These national groups, to counteract the renewed attacks against their freedom and life, have now broken away from the Prague Government. Czechoslovakia has ceased to exist.

Since Sunday at many places wild excesses have broken out, amongst the victims of which are again many Germans. Hourly the number of oppressed and persecuted people crying for help is increasing. From areas thickly populated by German-speaking inhabitants, which last autumn Czechoslovakia was allowed by German generosity to retain, refugees robbed of their personal belongings are streaming into the Reich.

Continuation of such a state of affairs would lead to the destruction of every vestige of order in an area in which Germany is vitally interested, particularly as for over 1,000 years it formed a part of the German Reich.

In order definitely to remove this menace to peace and to create the conditions for a necessary new order in this living space, I have to-day resolved to allow German troops to march into Bohemia and Moravia. They will disarm the terror gangs and the Czechoslovakia forces supporting them, and protect the lives of all who are menaced. Thus they will lay the foundations for introducing a fundamental re-ordering of affairs which will be in accordance with the 1,000-year old history and will satisfy the practical needs of the German and Czech peoples.

Berlin, 15th March 1939. (Signed) ADOLF HITLER.

ORDER OF THE FUEHRER TO THE GERMAN ARMED FORCES. 15th MARCH 1939.

Czechoslovakia is in dissolution. In Bohemia and Moravia terror against German fellow-countrymen reigns. From 15 March 1939 onwards formations of the German Army and Air Force will enter Czech territory in order to safeguard lives and property of all inhabitants of the country.

I expect every German soldier to consider himself not as an enemy of the inhabitants of the territory to be occupied, but only as an instrument for carrying out the German Reich Government's decision to restore a satisfactory order in that territory. But should resistance be offered anywhere, it will immediately be crushed with all means.

For the rest, remember that you set foot on Czech soil as representatives of Greater Germany.

The Fuehrer and Supreme C-in-C of the Armed Forces.

(Signed) ADOLF HITLER.

3615

H1171-0123

T C 51

(C 3398/19/18)

No. 145

Sir N. Henderson to Viscount Halifax. - (Received March 18)

No. 102. Saving)
(Telegraphic) En clair. Berlin, March 16 1939

MY telegram No. 120

Following is the text of a decree, dated 16th March, issued by Herr Hitler regulating the status of the Protectorate of Bohemia and Moravia:-

"For ten centuries the Bohemian-Moravian lands belonged to the living space of the German people. Force and lack of understanding arbitrarily tore them from their old historical surroundings and finally created a source of permanent unrest by incorporating them within the artificial edifice of Czecho-Slovakia. From year to year the danger that a new, appalling menace to European peace would emanate, as had happened once before in the past, from this living space, increased. For the Czecho-Slovak State, and those in power there, had not succeeded in properly organizing the existence side by side of the national groups arbitrarily united within its boundaries and had thereby failed to awaken the interest of all concerned in the maintenance of their common State. It has thereby proved its inmost incapacity to exist and has for this reason now also fallen into actual dissolution.

"The German Reich, however, cannot tolerate permanent disturbances in these territories that are so all-important to its own peace and security and also so important to the general well-being and universal peace. Sooner or later the Reich, as the Power most interested and affected, by history and geographical position, would have to suffer the most serious consequences. Self-preservation, therefore, requires that the German Reich should be determined to intervene decisively in favour of the restoration of a basis for a reasonable Central European order and should take the requisite measures. For it has already proved in the course of its historical past of a thousand years that it alone, thanks to its greatness and to the qualities of the German people, can be called upon to solve these tasks.

"Filled with the earnest desire to serve the true interests of the peoples domiciled in this living space, to guarantee the individual national life of the German and of the Czech peoples, to benefit peace and the social welfare of all, I therefore decree the following, in the name of the German Reich, as the basis for the future existence in common of the inhabitants of these territories:-

1192)

H1171-0124

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"Article 1.

"1. The territories which formed part of the former Czecho-Slovak Republic and which were occupied by German troops in March 1939 belong henceforth to the territory of the German Reich and come under the latter's protection as the "Protectorate of Bohemia and Moravia."

"2. In so far as the defence of the Reich demands, the Leader and Chancellor shall take measures differing from the above in respect of individual parts of these areas.

"Article II.

"Inhabitants of the protectorate of German race shall become German nationals and German citizens in accordance with the provisions of the Reich Citizenship Law of the 15th September, 1935 (Reichsgesetzblatt I, Ts 1146). The provisions with regard to safeguarding German blood and German honour shall therefore also apply to them. They shall be subject to German jurisdiction.

"2. The remaining inhabitants of Bohemia and Moravia shall be nationals of the Protectorate of Bohemia and Moravia.

"Article III.

"1. The Protectorate of Bohemia and Moravia is autonomous and self-administering.

"2. It shall exercise its sovereign rights within the scope of the protectorate in consonance with the political, military and economic importance of the Reich.

"3. These sovereign rights shall be represented by its own organs, authorities and officials.

"Article IV.

"The head of the autonomous administration of the Protectorate of Bohemia and Moravia shall enjoy the guard and honours of the head of a State. The head of the protectorate must possess, in order to exercise his functions, the confidence of the Leader and Chancellor of the Reich.

"Article V.

"1. As trustee of Reich interests the Leader and Chancellor of the Reich shall nominate a 'Reich Protector in Bohemia and Moravia.' His seat of office will be Prague.

"2. The Reich Protector, as representative of the Leader and Chancellor of the Reich and as Commissioner of the Reich Government, is charged with duty of seeing to the observance of the political principles laid down by the Leader and Chancellor of the Reich.

"3. The members of the Government of the protectorate shall be confirmed by the Reich Protector. The confirmation may be withdrawn.

1193)

H1171-0125

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T C 51
(Cont'd)

"4. The Reich Protector is entitled to inform himself of all measures taken by the Government of the protectorate and to give advice. He can object to measures calculated to harm the Reich and, in case of danger, issue ordinances required for the common interest.

"5. The promulgation of laws, ordinances and other legal announcements and the execution of administrative measures and legal judgments shall be annulled if the Reich Protector enters an objection.

"Article VI.

"1. The foreign affairs of the protectorate, especially the protection of its nationals abroad, shall be taken over by the Reich. The Reich will conduct foreign affairs in accordance with the common interest.

"2. The protectorate shall have a representative accredited to the Reich Government with the title of a 'minister'.

"Article VII.

"1. The Reich shall accord military protection to the protectorate.

"2. In the exercise of this protection the Reich shall maintain garrisons and military establishments in the protectorate.

"3. For the maintenance of internal security and order the protectorate may form its own organizations. The composition, strength, numbers and arms shall be decided by the Reich Government.

"Article VIII.

"The Reich shall control directly the transport, post and telegraph systems.

"Article IX.

"The protectorate shall belong to the customs area of the Reich and be subject to its customs sovereignty.

"Article X.

"The crown is legal tender, together with the reichsmark, until further notice.

"2. The Reich Government shall fix the ratio of one to the other.

"Article XI

"1. The Reich can issue ordinances valid for the protectorate in so far as the common interest requires.

"2. In so far as a common need exists, the Reich may take over branches of administration and create its own Reich authorities therefor as required.

"3. The Reich Government may take measures for the maintenance of security and order.

H1171-0127

T C 51
(Cont'd)

"Article XII

"The law at present existing in Bohemia and Moravia shall remain in force so long as it does not conflict with the principle of the assumption of protection by the German Reich.

"Article XIII

"The Reich Minister of the Interior shall issue, in agreement with the other Ministers concerned, the administrative and legal regulations for the execution and amplification of this decree.

"Hitler "Ribbentrop.
"Frick "Lammers

"Prague, March 16."

PARTIAL TRANSLATION OF DOCUMENT 1439-PS
OFFICE OF U. S. CHIEF OF COUNSEL

PAGE 606. 1939 REICHSGESETZBLATT PART II

DECLARATION CONCERNING THE GERMAN-SLOVAK TREATY OF PROTECTION CONCLUDED BETWEEN THE GERMAN REICH AND THE STATE OF SLOVAKIA, March 24, 1939

Between the German Government and the Slovak Government, a treaty was signed on 18 March 1939 in Vienna and on 23 March 1939 in Berlin extending protection by the German Reich to the State of Slovakia.

The treaty became effective on March 23, 1939; its text is published hereinafter.

Berlin, March 24, 1939.

VON RIBBENTROP
Reich Minister of Foreign Affairs

Treaty of Protection to be extended by the German Reich to the State of Slovakia

The German Government and the Slovak Government have agreed, after the Slovak State has placed itself under the protection of the German Reich, to regulate by treaty the consequences resulting from this fact. For this purpose the undersigned representatives of the two governments have agreed on the following provisions.

ARTICLE 1. The German Reich undertakes to protect the political independence of the State of Slovakia and the integrity of its territory.

ARTICLE 2. For the purpose of making effective the protection undertaken by the German Reich, the German armed forces shall have the right, at all times, to construct military installations and to keep them garrisoned in the strength they deem necessary, in an area delimited on its western side by the frontiers of the State of Slovakia, and on its eastern side by a line formed by the eastern rims of the Lower Carpathians, the White Carpathians and the Javornik Mountains.

The Government of Slovakia will take the necessary steps to assure that the land required for these installations shall be conveyed to the German armed forces. Furthermore the Government of Slovakia will agree to grant exemption from custom duties for imports from the Reich for the maintenance of the German troops and the supply of military installations.

Military sovereignty will be assumed by the German armed forces in the zone described in the first paragraph of this Article.

German citizens who, on the basis of private employment contracts, are engaged in the construction of military installations in the designated zone shall be subject to German jurisdiction.

ARTICLE 3. The Government of Slovakia will organize its military forces in close agreement with the German armed forces.

ARTICLE 4. In accordance with the relationship of protection agreed upon, the Government of Slovakia will at all times conduct its foreign affairs in close agreement with the German Government.

H1171-0128

PARTIAL TRANSLATION OF DOCUMENT 1439-PS
(Cont'd)

ARTICLE 5. This treaty shall become effective as of the date of its signature and shall be valid for a period of twenty-five years. The two governments will reach an understanding on the extension of this treaty in due time before the expiration of that period.

In witness whereof the representatives of the two parties have signed the above treaty in duplicate.

Vienna, March 18, 1939. Berlin, March 23, 1939.

For the German Government:

VON RIBBENTROP

For the Slovak Government:

DR. JOZEF TISO
DR. VOJTECH TUKA
DR. F. DURCANSKY

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 1439-PS

17 November 1945

I, Ludwig Hartman, T/4, 37446052, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 1439-PS.

LUDWIG HARTMAN
T/4, 37446052

H1171-0129

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TRANSLATED EXTRACTS
OF DOCUMENT 2852-PS

3756-PS

REICHSGESETZBLATT 1939
Pt. I. Page 1681.

Decree

on the building up of the government and the German Security Police in the Protectorate of Bohemia and Moravia of 1 September 1939.

- -

II German Security Police in the Protectorate of Bohemia and Moravia

- - - - - - - - - - -

13. The Reichsprotector in Bohemia and Moravia and the Reichsleader SS and Chief of the German Police in agreement with the Reichsprotector can take police measures necessary for the maintenance of security and order in the Protectorate Bohemia and Moravia, even beyond the limits usually valid for such measures. They can transfer this authority.

3826.

H1171-0130

TRANSLATION OF DOCUMENT NO. 863-PS
OFFICE OF U S CHIEF OF COUNSEL.

132

The Deputy General of the Armed Forces with the Reich Protector in Bohemia and Moravia.

Top Secret

No 22/40 top secret Prague, 15 October 1940.

Top Secret
(through officers only)

Re: Basic political principles in the Protectorate 4 Copies
1st Copy

Top Secret!
1 Annex (through officers only!)

(Pencil marks):
K (Keitel) 21/X
J (Jodl) Chief OKW
through Chief WFSt
W (Warlimont) 18/10

On 9 October of this year the office of the Reich protector held an official conference in which State Secretary SS Lt. General K. H. Frank spoke about the following:

Since creation of the protectorate of Bohemia and Moravia, party agencies, industrial circles, as well as agencies of the central authorities of Berlin have had difficulties about the solution of the Czech problem.

After ample deliberation, the Reich Protector expressed his view about the various plans in a memorandum. In this, three ways of solution were indicated:

a.) German infiltration of Moravia and reduction of the Czech nationality to a residual Bohemia.

This solution is considered as unsatisfactory, because the Czech problem, even if in a diminished form, will continue to exist.

b.) Many arguments can be brought up against the most radical solution, namely the deportation of all the Czechs. Therefore the memorandum comes to the conclusion that it cannot be carried out within a reasonable space of time.

c.) Assimilation of the Czechs, i.e. absorption of about half of the Czech nationality by the Germans, insofar as this is of importance by being valuable from a racial or other standpoint (blut-und sonst wertmaessig Bedeutunghat.) This will take place, among other things, also by increasing the Arbeitseinsatz of the Czechs in the Reich territory (with the exception of the Sudeten German border district), in other words by dispersing the closed Czech nationality

The other half of the Czech nationality must be deprived of its power, eliminated and shipped out of the country by all sorts of methods. This applies particularly to the racially mongoloid part and to the major part of the intellectual class. The latter can scarcely be converted ideologically and would represent a burden by constantly making claims for the leadership over the other Czech classes and thus interferring with a rapid assimilation.

H1171-0131

H1171-0132

Elements which counteract the planned Germanization are to be handled roughly and should be eliminated.

The above development naturally presupposes an increased influx of Germans from the Reich territory into the Protectorate.

After a discussion, the Fuehrer has chosen Solution c (assimilation) as a directive for the solution of the Czech problem and decided that, while keeping up the autonomy of the Protectorate on the surface, the Germanization will have to be carried out in a centralized way by the office of the Reich Protector for years to come.

From the above no particular conclusions are drawn by the armed Forces. This is the direction which has always been represented from here. In this connection, I refer to my memorandum which was sent to the Chief of the Supreme Command of the Armed Forces, dated 12 July 1939, file number 6/39, top secret, entitled: "The Czech Problem." (Attached as annex).

The Deputy General of the Armed Forces with the Reich Protector in Bohemia and Moravia.

(Signed) FRIDERICI
Infantry Lt. General.

Distribution:

OKW - L	1st Copy
OKH - O Qu V	2nd "
Chief H Rüst and Bd E - Ic.	3rd "
Draft	4th "

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 862-PS

16 November 1945

I, WILLARD E. SKIDMORE, Lt(jg), USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 862-PS.

WILLARD E. SKIDMORE,
Lt(jg),USNR, 391590.

H1171-0133

Court No.	No.	Doc. Book	Transcript Pages	Description	Date
US 313	862-PS	U	1538	Frederici Memorandum re plan to Germanise Czechoslovakia	15 Oct. 1940

H1171-0134

USA 19

TRANSLATION OF DOCUMENT 2972-PS
OFFICE OF U.S. CHIEF OF COUNSEL

I certify that the following is an accurate statement of positions and honours held by me :

A. Member of the NSDAP from 30 January 1937 to 1945. (Awarded Golden Party Badge, 30 January 1937) NSDAP No. unknown . The presentation was made against my will and without my being asked.

B. SS General. SS/287680.

1. Personally appointed Gruppenfuehrer by Hitler September 1937. Appointment was made against my will and without my being asked.

2. Promoted to Obergruppenfuehrer, 21 June 1943.

C. Reich Minister for Foreign Affairs.

1. Appointed by Papen on 2 June 1932.) Appointed by Reich-
2. Appointed by Hitler 30 January 1933.) president Hindenburg

3. Replaced by Ribbentrop on 4 February 1938.

D. Inactive Reichminister from 4 February 1938 until May 1945

E. President, Secret Cabinet Council (Appointed February 4 1938). The Cabinet Council never sat nor conferred.

F. Member of Reich Defense Council from ____ to 1945. No.

G. Reich Protector for Bohemia and Moravia.

1. Appointed 16 March 1939.

2. On leave from 27 September 1941.

3. Replaced by Frick, 25 August 1943.

H. Awarded "Adlerorden" by Hitler at time of appointment as Reichsprotektor. Ribbentrop was the only other German to receive this decoration.

(Sgd) Constantin von Neurath
CONSTANTIN von NEURATH.
17 November 1945

(Sgd) Dr. von Lüdinghausen,
Defense Counsel.

- - - - - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2972-PS

I, W.E. MENKE, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2972-PS.

W.E. MENKE

Exhibit USA 246
Filed Jan. 23, 1946

OFFICE OF U S CHIEF OF COUNSEL
TRANSLATION OF DOCUMENT NO. 1774-PS

2

Extract from the book "Verfassungsrecht des Grossdeutschen Reiches" by Ernst Rudolf Huber.

Paragraph 19 - Page 223

FUEHRER AND REICH-CABINET (REICH REGIERUNG)

a) The Structure of the Reich-Cabinet (Reich Regierung)

The political direction of the Reich is the task of the Fuehrer. The Fuehrer selects, in all fields of political developments the goals which should be attained, determines the methods to be used and makes all fundamental decisions when necessary. The authority of the Fuehrer (Fuehrergewalt) is the "Political Authority" in the new Reich. The term "Leadership" expresses better the mobilization of the collective political force of the people towards the achievement of the common goal, than the term "Government" which has been used heretofore for the highest authority of the State. The Fuehrer has the only final power to decide in all matters concerning movement (party), people, and Reich. He possesses and bears the historical responsibility to his people. Even in instances, where the law assigns certain tasks to the "Reichsregierung (Reich-Cabinet (Reich Regierung)), it is the Fuehrer who is responsible for the final decision.

The Fuehrer avails himself, however, in his decisions of the counsel and the constructive cooperation of his collaborators, especially the Reich-Cabinet (Reichs Regierung), which combines the Subordinate-Fuehrers (Unterfuehrer) of the various departments of the State. The legal position of the Reich-Ministers was originally laid down by the Reich-Minister Law of March 27 1930 (RGBl I 96). In it's place Section XIII of the German Civil Servant Law is now applicable, with the exception of the regulations concerning the official salaries, service quarters, moving - and travel expenses, where the old law remains valid. The Reich-Ministers are appointed by the Fuehrer and maintain a public service relationship towards him and the Reich. They take a special oath before the Fuehrer when they assume their functions. They cannot belong to any economic enterprise as chairmen or members of administrative or supervisory councils while they hold office ("economic incompatibility"). The Reich-Ministers can be dismissed from their offices at any time by the Fuehrer. No disciplinary action against them will be taken. Special treatment of the Reich Ministers is based on the fact that they are not "Civil Servants". Civil Servants are only the members of the Bureaus which are sub- and co-ordinated to the hierarchi administrative structure, but not those who occupy immediate state-directing positions * to whom the Reich-Ministers belong according to the present constitutional law.

The Fuehrer and Reich-Chancellor is at the top of the Reich-Cabinet (Reich Regierung). He hands down the directives for the overall operation of the Government and the basic principles for the various departments. A number of Bureaus are subordinated to him for direct counsel and assistance, as follows:

1. The Reich-Chancellory (Chief: Reich-Minister, Dr. Lammers)

2. The Supreme-Command of the Armed Forces (Chief: Generaloberst (Gen.) Keitel)

3. The Presidential Chancellory (Chief: State Minister Dr. Meissner)

4. The Privy Cabinet Council (President: Reich-Minister Frh. von Neurath)

The Reich-Cabinet (Reich Regierung) comprises furthermore the departmental ministries proper. It is constituted in the following manner according to the official order of rank laid down in the year 1939:

* See J. Popitz, on the draft of a Reich-Minister Law (Zum Entwurf eines Reichsministergesetzes) DJZ 1930, Sp. 121 ff.

H1171-0135

Clerk

H-1171

Filed Jan. 1946

HBW

INTERNATIONAL MILITARY TRIBUNAL

Constantin v. Neurath

No. 12

BRITISH DOCUMENT BOOK

No. 12 (ENGLISH)

CONSTANTIN v. NEURATH

H1171-0136